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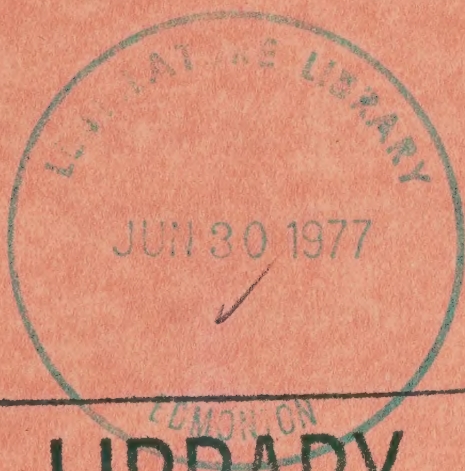
SYNOPSIS of STATUTES of
GENERAL APPLICATION

February 18 - April 8
1954

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Synopsis of Statutes of General Application

ENACTED AT THE
SECOND SESSION
OF THE
TWELFTH LEGISLATURE

February 18th to April 8th
1954

Prepared by
JAMES W. RYAN,
Acting Legislative Counsel and
Law Clerk

— and —

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ALBERTA
**SYNOPSIS OF
STATUTES OF GENERAL
APPLICATION**

**Enacted at the Second Session of the
Twelfth Legislature**

**AGRICULTURAL SERVICE BOARD ACT
AMENDMENT ACT**

(Chapter 1)

(Bill 63)

This Act amends *The Agricultural Service Board Act*, being chapter 19 of the Statutes of Alberta, 1945.

The Agricultural Service Boards authorized by this Act are advisory boards whose function is to advise and assist the council of a municipal district and in an improvement district, the Minister of Municipal Affairs, in matters of mutual concern with respect to agriculture generally in the area.

Clause (bb) of section 9, enacted in 1949, goes further than the rest of the Act in that it appears to empower such a board "to administer" Brucellosis restricted areas. The clause is amended to make it clear that a Board's function is to assist the regular administrative body in the control of any livestock disease under *The Live Stock Diseases Act*.

This Act came into force on April 8, 1954.

**AGRICULTURAL SOCIETIES ACT
AMENDMENT ACT**

(Chapter 2)

(Bill 50)

This Act amends *The Aricultural Societies Act*, being chapter 246 of the Revised Statutes of Alberta, 1942.

Section 3, clause (c) is amended for the purpose of combining the skills referred to in subclauses (iii), (v) and (vi) into classifications without reference to particular skills such as plowing, blacksmithing, sewing, etc.

Section 33 is amended. Subsection (2), clause (a), is struck out and a new clause (a) is substituted. The effect of

the amendment is to permit the payment of a grant (out of moneys appropriated by the Legislative Assembly for the aid of agricultural societies) based on a percentage of the amount actually paid in prizes not exceeding a maximum sum and which will be paid in accordance with the provisions set up by the Lieutenant Governor in Council. Previously it was provided that where the amount paid in prizes exceeded three hundred dollars a grant equal to fifty per cent of the amount could be made but the grant could not exceed fifteen hundred dollars in the case of a Class B fair and four hundred dollars in the case of a fair that did not qualify as a Class B fair.

This Act came into force on April 8, 1954.

AMUSEMENTS ACT AMENDMENT ACT

(Chapter 3)

(Bill 57)

This Act amends *The Amusements Act*, being chapter 40 of the Revised Statutes of Alberta, 1942.

Section 2, clauses (b), (f) and (g) are amended and clause (m) is struck out. In clause (b) the reference to "joint board of censors" is removed as there is no provision in the Act for the appointment of a joint board. In clause (f) the definition of "Minister" is made to conform with the definition being increasingly used in other Acts. In clause (g) the reference to celluloid film is made a reference simply to film. Clause (m) is struck out as slides are not censored and the reference to slides is outmoded in the public entertainment field.

Section 4, subsection (3) is amended to exclude projectionists' certificates and licences which are issued during the pleasure of the Lieutenant Governor in Council from the provision that all licences shall expire on a certain date each year.

Section 7 is amended to make it clear that no amusement tax is required to be paid upon complimentary passes or tickets on admission thereon. The section is re-arranged and the former subsection (2) is made a separate section and numbered 7a to avoid difficulty in its references by reason of its previous position in section 7.

Section 10, subsection (4) is amended to provide for a term of imprisonment

upon default in paying the fine prescribed by this subsection.

Section 20, subsections (1) and (2) are amended by removing the prohibition against censoring film until the fee and expenses have been paid. Fees and costs are more conveniently paid monthly or at stated periods.

Section 23 is amended to remove the reference in clause (a) to slides.

Section 24 is amended by including a reference to the censor in order that this section may be made to conform to sections 21, 22 and 23 in the reference to censor and board of censors.

Section 25 is amended to remove the requirement that censorship certificates for films be displayed publicly.

Section 32 is amended. The effect of this amendment is to authorize the Minister to cancel a licence for any cause where under the section as it stands the Minister could only cancel a licence for a cause "set forth in the Regulation".

Section 33 is amended. A new clause (k1) is added which authorizes the making of regulations approving types of projection equipment and prohibiting the use in theatres of unapproved types. Clause (u) is amended by removing the reference to slides.

Section 34 is amended to provide for a term of imprisonment for default in paying the fine prescribed by this section.

Section 35 is repealed. It continues in force regulations made under previous Acts which were replaced by *The Amusements Act* and is not now necessary.

This Act came into force on March 30, 1954.

APPROPRIATION ACT, 1954

(Chapter 4)

(Bill 10)

This Act provides for the payment out of the General Revenue Fund of \$153,373.79 to defray expenses not provided for for the fiscal year ending the 31st day of March, 1953; and for the payment out of the General Revenue Fund of \$6,699,872.54 on account of expenditures for the fiscal year ending

the 31st day of March, 1954, and also for the payment out of the General Revenue Fund of \$178,500,572.00 on account of expenditures of the public service for the fiscal year ending the 31st day of March, 1955.

This Act came into force on March 30, 1954.

ASSESSMENT ACT AMENDMENT ACT

(Chapter 5)

(Bill 98)

This Act amends *The Assessment Act*, being chapter 157 of the Revised Statutes of Alberta, 1942.

Section 2 is amended. Clause (b), which defines an "assessor", is amended to include an assessor appointed pursuant to this Act. Clause (d), which defines a "conditional owner", is amended to refer to *The Crown Cultivation Leases Act, 1954*. Clause (ff) is added to define the expression "fair actual value". Subsection (2) is added and provides that "fixtures" shall include certain industrial units that are of a type which become permanently affixed to the real estate.

Section 5, subsection (1), clause (p) is amended to include in the list of property exempt from assessment and taxation under this Act property to which *The Mobile Construction Equipment Licensing Act* and *The Seismographic Recording and Drilling Equipment Licensing Act* apply.

Section 8, subsection (2) is amended to strike out words therein which appear to conflict with the intent of subsection (4). Subsection (5) is amended to substitute a defined expression "fair actual value" for other words of less certain import.

Section 18a, which provides for the person who will make assessments in towns, villages and municipal districts, is amended to include a reference to an assessor designated by the Director of Assessments to make such an assessment.

Section 19, subsection (1) is amended to provide in a new clause (aa) that all industrial units that are "fixtures" within the meaning of the new subsection (2) of section 2 are to be assessed.

Section 21, subsection (2), which relates to certain duties of the assessor

appointed by the council in respect of a business tax, is enlarged to include a reference to the assessor designated by the Director of Assessments.

This Act came into force on March 30 and the amendments to sections 5, 18a and section 21 are retroactive to January 1, 1954.

BILLS OF SALE ACT AMENDMENT ACT

(Chapter 6)

(Bill 82)

This Act amends *The Bills of Sale Act*, being chapter 217 of the Revised Statutes of Alberta, 1942.

Section 32 is amended. Subsection (4) is replaced by a new subsection (4). The introduction of the five-day week made this amendment necessary in order to enable the bringing of the hours of the offices of registration clerks into line with similar amendments to other Acts. Subsection (5) is removed.

This Act came into force on March 30, 1954.

CALGARY HOSPITALS BOARD ACT

(Chapter 7)

(Bill 74)

This is a new Act to be known as "*The Calgary Hospitals Board Act*".

By section 8 of chapter 72 of the Statutes of Alberta, 1934 a new section 308 was added to Ordinance 33 of the North West Territories, 1893. Ordinance 33 as amended over the years was more familiarly known as The Calgary Charter. Section 308 thereof incorporated and constituted The Calgary Hospitals Board. With the introduction of *The City Act* in January, 1952, section 308 of The Calgary Charter continued in full force and effect by virtue of subsection (2) of section 4 of *The City Act*.

The Calgary Hospitals Board is composed of nine members, consisting of the Mayor of Calgary, two members of the City Council and six adult resident citizens of The City of Calgary. It is desired to change the composition of that Board to the Mayor of Calgary, four members of the City Council and four adult resident citizens of Calgary. The terms of office of Board members are to be changed also.

This Act continues the corporation known as The Calgary Hospitals Board, sets out the composition, duties and powers of that Board and repeals section 308 of The Calgary Charter and, insofar as the Board is concerned, the provisions of section 4 (2) of *The City Act* fixing the constitution of the Board. The only substantive change is in the composition of the Board and the terms of office of the members thereof.

This Act is to come into force on July 1, 1954.

CALGARY TAXING AGREEMENT ACT, 1954

(Chapter 8)

(Bill 108)

This is a new Act which will be known as "*The Calgary Taxing Agreement Act, 1954*".

In 1911 the City of Calgary granted perpetual tax exemption to the C.P.R. in respect of the Palliser Hotel. Later the city entered into certain agreements in regard to the Alberta Stock Yards, a subsidiary company of the railway company.

Because of the unique position of the railway company as far as taxation is concerned and because of these previous Agreements respecting taxation, the City of Calgary finds it expedient to negotiate tax agreements with the C.P.R. By such a method Calgary expects to increase the amounts annually received from the railway company.

The City Act does not contain any general provision regarding this unusual situation and this Act is desired by the City of Calgary to ratify, validate and confirm the desired taxing agreement with the C.P.R.

This Act is retroactive to January 1, 1953.

CEMETERY ACT AMENDMENT ACT

(Chapter 9)

(Bill 105)

This Act amends *The Cemetery Act*, being chapter 256 of the Revised Statutes of Alberta, 1942.

Sections 2, 3 and 4 are replaced by new sections 2, 3, 4, 4a and 4b for the purpose of simplifying the formation of a company under this Act in accordance with present day procedure.

Section 2 is a definition section.

Section 3, subsection (1) provides that any seven or more persons who have complied with certain requirements may form themselves into a company under this Act. Subsection (2) requires persons desiring to form a company under this Act to make and subscribe an application in Form A in the Schedule and to file the application together with a registration fee of five dollars with the Registrar. Subsection (3) requires that in the application there be set out the intended corporate name and the purpose of incorporation. Subsection (4) provides that the Registrar may refuse incorporation for any reason that appears to him to be sufficient. Subsection (5) provides an appeal to the Lieutenant Governor in Council from any decision given by the Registrar.

Section 4, subsection (1) provides for the issue of the certificate of incorporation by the Registrar and the publication of the certificate of incorporation in *The Alberta Gazette*. Subsection (2) provides that the certificate of incorporation is conclusive evidence of incorporation. Subsection (3) provides for the powers and rights of the company from the date of the certificate of incorporation.

Section 4a requires a company so formed to file with the Registrar a list of directors and managers within fifteen days of their appointment and to file a notice of a change of directors or managers within fifteen days after the change is made.

Section 4b empowers the Provincial Board of Health with the approval of the Lieutenant Governor in Council to make regulations with respect to location, construction, maintenance and operation of cemeteries and with respect to the burial and cost of the burial of bodies of destitute or indigent persons.

Section 21 is replaced by a new section 21. Subsection (1) requires the company to furnish graves free of charge for the bodies of destitute or indigent persons of all denominations and for unclaimed bodies of persons of all denominations. Subsection (2) makes it an offence and provides the penalty where a company refuses or neglects to furnish a grave for the body of a destitute or indigent person or an unclaimed body of a person.

A Schedule is added. Form A sets forth the application required under section 3, subsection (2).

This Act came into force on March 30, 1954.

CHILD WELFARE ACT AMENDMENT ACT

(Chapter 10)

(Bill 20)

This Act amends *The Child Welfare Act*, being chapter 8 of the Statutes of Alberta, 1944.

Section 10, clause (j), wherein "neglected child" is defined, is amended. Subclause (vii) is added and includes within the definition a child growing up without salutary parental control. Subclause (xi) is amended to include within the definition a child not properly cared for whether or not its parent is serving a term of imprisonment.

This Act came into force on March 30, 1954.

CITY ACT AMENDMENT ACT

(Chapter 11)

(Bill 97)

This Act amends *The City Act*, being chapter 9 of the Statutes of Alberta, 1951.

Section 2, clause (w) is amended to include sewers within the definition of "public utility".

Section 98 is amended to make reference to a new Form added to the Schedule in 1953.

Section 281, subsection (3) is amended by bringing up to date the reference therein to "street cars".

Section 291 is amended by adding a new subsection (3) which restricts cities from purchasing land outside cities for the purpose of subdivision.

Section 319, subsection (2) is amended to make this section refer to the latest federal *National Housing Act*, rather than to the *National Housing Act*, 1938 (Canada).

Section 333 is amended by the addition of a subsection which empowers a city council to provide entitlement to the benefits of a hospitalization agreement in the case of certain beneficiaries of trust estates.

Section 356 is amended. Clause (a) is amended to correct a reference in the case where the reference referred to a city and the term "municipality" which is a defined term more extensive in scope than the term "city" was used. Clause (b) is amended for the same purpose. Clause (b1) is added and expressly authorizes the council of a city to pass regulatory and licensing by-laws for the gas fitting trade.

Section 363, subsection (2) is amended to correct a misspelling.

Section 379 is added and authorizes a city to prescribe closing hours for garages, filling stations, gasoline pumps, machine shops and implement shops, to permit emergency sales when these businesses are otherwise closed for business pursuant to a city by-law, and to exempt designated garages, filling stations and service stations from the provisions relating to closing in this Act, a city by-law or any system of rotation.

Section 421, clause (b) is amended to correct a misspelling.

Section 526 is amended to correct a misprint.

Section 535, subsection (1) is amended to increase the ceiling placed by this subsection on the amount of the minimum hospital tax that a city may assess. The limit is increased from eight dollars to ten dollars and coincides with amendments in other Acts wherein hospital agreements and minimum hospital taxes are authorized.

Section 565 is amended to remove an ambiguity.

Section 642 is amended. Subsection (1) is amended to include fire equipment within the listing of utilities and works that may be extended, re-equipped or improved through borrowings by the city. Subsection (3) which provides that borrowing for the above mentioned purpose need not have the assent of the proprietary electors if three-fourths of all the council vote therefor, is amended to make that provision applicable on a two-thirds vote of all the council.

Section 716 is amended. This section relates to lost or unclaimed property and the amendment makes it possible for the city to dispose of same after

three months instead of the previous six months' limit; also, by amendment to subsection (2) the city where it fails to dispose of an unclaimed article by public auction can now dispose of it in other ways. Previously the position of a city in such a case was unprovided for in the Act.

Forms 8, 9 and 10 are amended to change the manner of setting out the names on ballot forms to a smaller print with less detail and to remove the reference to the year of the balloting.

Form 35 is amended to clarify the meaning of the word "date" as used in this Form.

This Act came into force on March 30, 1954.

COAL MINERS REHABILITATION ACT

(Chapter 12)

(Bill 122)

This is a new Act to be known as "*The Coal Miners Rehabilitation Act*".

It provides authority for the Lieutenant Governor in Council to authorize the expenditure of a sum not exceeding \$100,000.00 toward the rehabilitation of coal miners.

This Act came into force on April 8, 1954.

COMMISSIONERS FOR OATHS ACT AMENDMENT ACT

(Chapter 13)

(Bill 13)

This Act amends *The Commissioners for Oaths Act*, being chapter 113 of the Revised Statutes of Alberta, 1942.

Section 5 is amended. This section provides that commissioned officers shall be *ex officio* commissioners for taking oaths. The amendment is for the purpose of correcting the reference, as by *The National Defence Act*, 1950, (Canada), chapter 43, the Canadian naval, army and air forces may collectively be designated as the "Canadian Forces". They are no longer referred to as "Her Majesty's naval, army or air forces".

This Act came into force on March 30, 1954.

COMPANIES ACT AMENDMENT ACT

(Chapter 14)

(Bill 102)

This Act amends *The Companies Act*, being chapter 240 of the Revised Statutes of Alberta, 1942.

Section 2 is amended. Clause (ee) which defines "special resolution" is enlarged to include in that term a resolution consented to in writing by all the members entitled to vote thereon at a general meeting.

Section 8 is amended to permit unitization organizations to operate without registration under this Act in certain cases.

Section 14 is replaced by a new section. The former section prohibited loans being made shareholders or directors of a company unless the company was a loan company acting in the course of its business. The new section prohibits the making of loans to directors or shareholders by a company and sets out in more detail the type of transactions included within the concept of "loans". The exceptions are extended to include with the exception to loan companies, loans that are made to enable persons to erect dwelling houses for their own occupation, the provision of money by the company to trustees for the purchase of shares of the company in trust for or for the benefit of employees of the company, including directors, and loans that are made to employees to enable them to purchase shares of the company to be held by the employees as beneficial owners. The added exceptions are the type of transactions that are recognized under the *Income Tax Act* (Canada).

Section 31, subsection (1) is amended to permit the statutory declaration required for a certificate to commence business to be filed by any one officer or the secretary of the company, rather than by all the directors as heretofore.

Section 52 is amended. Subsection (1) permits a private company to convert to a public company. The amendment requires that such a private company be one with three or more members to be consistent with section 263 which requires a public company to have no less than three members in order to do business. Subsection (4) is amended for the same reason as section 31, subsection (1) is amended.

Section 64 is amended. Subsection (1) is not free of ambiguity and this section is amended to clarify the situation with regard to the number of branch offices that a company may have outside the Province.

Section 66 is amended. As subsection (1) now reads it requires the seal of the company on share certificates issued by registrars or transfer agents of companies. The amendment permits such share certificates to be issued without the seal added thereto and requires instead that the certificates be signed by the proper officers of the company. Section 34 was repealed in 1947 and the reference thereto in subsection (2) is removed.

Section 67 is amended to make it consistent with the amendment to subsection (1) of section 66.

Section 73, subsection (2) is amended to remove a conflict between this subsection and section 42 with regard to reorganization of a company's share capital.

Section 78 is amended. Subsection (1) is amended to remove an ambiguity caused by the word "publication" where used in reference to the issuing of a prospectus. Clause (a) of that subsection is amended to qualify a director who signs a prospectus or a statement in lieu of prospectus without the necessity of his signing and filing a consent to act as a director. Subsection (5) is amended to remove a reference to a section that was repealed in 1947.

Section 80a is added. This new section relates to the position of a director of a company who has an interest in another company or a firm with which his company is contracting. Such a director is under a duty to declare his interest to the other directors. Unless the articles of association permit it, such a director shall not vote with respect to any such contract. Certain exceptions are made to this provision in subsection (5), and certain other incidences flowing from the relationship of a director to his company are dealt with in subsections (6) and (7).

Section 83 is amended as to subsections (1) and (2) to provide generally that no prospectus be issued before it is filed and to authorize the filing within seven days of the date of the prospectus. The restriction against issuing

a prospectus does not apply to an issue for filing purposes in compliance with statute or regulatory requirements.

Section 84 is amended to provide for the case of a private company converting to a public company. In that case the statement required by subsection (3) to be in the "Statutory Information" of the prospectus is inapplicable insofar as it touches upon the commencement of the company's business.

Section 85 is amended for the same reason that section 84 is amended.

Section 86a is added. It provides generally that no person may issue any application or subscription forms for the shares or debentures of a company unless an appropriate prospectus is issued with the form. Certain exceptions to this provision are set out in subsection (2). Subsection (3) makes non-compliance with subsection (1) an offence without effect to any other liability arising therefrom.

Section 86b is added. Subsection (1) requires that a prospectus be filed in any case where a person receives shares or debentures of a company with a view to their being offered for sale to the public when he offers them to the public by a prospectus. Subsection (3) lays down a means of determining when shares or debentures have been allotted "with a view to the shares or debentures being offered for sale to the public". Subsection (5) requires that the prospectus be furnished to the public with the offer. Subsection (6) refers to the position of a principal underwriter and subunderwriter with respect to an issue of shares or debentures for which a prospectus was issued by the principal underwriter. The latter is primarily liable for misstatements in the prospectus. Subsection (7) creates an offence and subsection (8) defines the expression "principal underwriter" and "subunderwriter".

Section 93 is amended to remove a reference to a section repealed in 1947.

Section 100a is added for the purpose of providing for the conversion of bonds and debentures into fully paid up shares.

Section 112, subsection (1) is amended. The subsection is rearranged into three subsections. The subsection (1b) was a proviso which has been substantially altered for the purpose of per-

mitting the court either before or after the sixteen month period in which an annual meeting of a company must be held, to direct by order that an annual meeting of the company be held at some date within six months after the last date upon which the annual meeting should have been held.

Section 114, subsection (1) is amended by the addition of clause (g) which provides that the third type of special resolution defined in the Act shall be deemed to be one passed at a general meeting where in fact it is passed by unanimous consent in writing of the company's members.

Section 128 is amended by the addition of a new subsection (8) which clarifies the position of directors who have resigned their office in a company that is being investigated under this section or section 129.

Section 153 is amended. Subsection (2) is added and requires that associations incorporated for the purpose of promoting art, science, religion, etc., file without fee a list of all directors and officers after each annual meeting. This is to permit the Registrar to determine which such companies are still in operation.

Section 155 is amended for the same reason as section 153 but with respect to associations incorporated for recreational purposes.

Section 156 is amended to provide that telephone companies need not submit returns under this Act to the Registrar. The Minister of Railways and Telephones obtains reports from these companies.

Section 167, section 168, subsection (1) and section 169, subsection (2) are each amended to correct a description of a meeting and report.

Section 221 is amended to provide that meetings of creditors on a liquidation are to be held not less than fourteen or more than forty-two days after the liquidator's appointment where previously the meeting had to be held within a maximum period of twenty-one days from such date. The subsection is rearranged to provide an easier mode of referring to it.

Section 248 is repealed as the hours therein fixed are no longer applicable as a result of the five-day week.

The First Schedule is amended as to Articles 4, 30 and 62 to make these Articles consistent with section 66, the repeal of "statutory meetings" in 1947, and the new section 80a respectively.

The Second Schedule is amended as to Forms 6, 7, 7a, 8 and 8a. The forms require altering because of the amendments made herein to sections 31 and 52. Form 12 is amended to include therein information regarding foreign companies upon which fees are based for its registration under *The Companies Act*.

This Act came into force on April 8, 1954.

CONDITIONAL SALES ACT AMENDMENT ACT

(Chapter 15)

(Bill 115)

This Act amends *The Conditional Sales Act*, being chapter 219 of the Revised Statutes of Alberta, 1942.

Section 16 is amended for the purpose of removing therefrom the restrictions against actions on personal covenants in conditional sales contracts insofar as these sales relate to machinery, equipment and material used in the exploration for or in the production of petroleum and natural gas; for example, drilling rigs sold on a conditional sale agreement.

The amendment applies only to contracts made on or after the date this Act comes into force.

This Act came into force on April 8, 1954.

CORONERS ACT AMENDMENT ACT

(Chapter 16)

(Bill 46)

This Act amends *The Coroners Act*, being chapter 10 of the Statutes of Alberta, 1945.

A new section 1a is added for the purpose of defining the Registrar General referred to in various places in the Act.

Section 6 is amended by replacing subsection (2) with new subsections (2) to (4). The new subsection (2) provides for the giving of notice to the

coroner by a hospital in which a person dies following an operation. Subsection (3) is a part of the previous subsection (2) altered to refer also to the new subsection (2). Subsection (4) provides that a person who does not give a notice required by subsection (1) is not to be deemed guilty of the offence created by subsection (2) if anyone else gives the notice.

Section 9 is replaced by a new section 9. Subsection (1) permits a coroner to view a body before the inquest. It also permits a coroner to authorize a post-mortem examination if he considers it necessary, and to authorize the burial of the body before the inquest takes place. Subsection (2) requires that a viewing of a body before an inquest takes place in the presence of some person able to identify the deceased. Subsection (3) requires that that person make an affidavit as to the deceased's identity. Subsection (4) relates to the evidential value of that affidavit.

Section 10 is amended by striking out a qualification in subsection (3) which distinguishes between coroners on a salary basis.

Section 13 is amended to make a reference in that section conform to the amendments made by this amending Act.

Section 14 is replaced by a new section. This amendment is made because of the new provision permitting a coroner to view the body of deceased before an inquest. It also makes provision in subsection (2) for the case where identity of the deceased cannot be established at such a viewing.

Section 16 is replaced by a new section 16 relating to post-mortem examinations. Post-mortems are extended to include an analysis of tissues, tissue contents and body fluids when before only examination of the stomach contents and of that organ that was specifically mentioned. Also now during an inquest where a post-mortem is indicated it will not be necessary to have consent of the Attorney General or Provincial Chief Coroner to the examination. In other cases, set out in the section, it will still be necessary to obtain that consent; while in other cases, the consent of the Registrar General must be obtained but in these cases the new section makes no substantive change in the law. The responsibility for paying the costs of such examinations is not changed by this section. Subsection (9) per-

mits the coroner to authorize a post-mortem in a case where the next of kin or a hospital request it to determine the cause of a death following upon an operation if the cost is borne by the requesting party.

Section 17 is amended by replacing subsection (2) with two new subsections. Subsection (3) provided that certain persons could not serve as jurors on certain inquests. The last part of that subsection referred to an inquest into the death of an owner of a building or premises in which or on which a trade is carried on who died therein or thereon. The new subsection (4) extends the subsection to cover the proprietor of the business or trade so carried on and his employees as well as the owner of the premises and his employees.

Section 21 is amended by replacing subsections (1) and (2) with a new subsection (1). This amendment is made necessary by reason of the amendment relating to the viewing of the body of a deceased; subsection (1) sets out the procedure on the first sitting of the inquest as modified by the changed procedure in respect of viewing of the body.

Section 22, subsection (2) is amended to remove the requirement that the Attorney General consent first before shorthand evidence be taken at an inquest.

Section 23, subsection (1) is amended to remove words that refer to the procedure respecting viewing of a body as it was before being altered by this Act.

Section 26, subsection (1) is amended to bring up to date the reference to affidavits.

Section 30 is replaced by a new section which enlarges the powers of the Lieutenant Governor in Council to make regulations. Before the Lieutenant Governor in Council was authorized to prescribe fees only where now he is being empowered to prescribe and alter forms for use under this Act.

Form AA is added to the Schedule. This is the affidavit of identity of a deceased required by the new section 9, subsection (3).

Form BB in the Schedule is amended to conform with the change in the viewing procedure.

This Act came into force on April 8, 1954.

ALBERTA CORPORATION INCOME TAX ACT AMENDMENT ACT

(Chapter 17)

(Bill 61)

This Act amends *The Alberta Corporation Income Tax Act*, being chapter 3 of the Statutes of Alberta, 1947.

A new subsection (2a) is added to section 44. The new subsection provides that if in the opinion of the Provincial Treasurer a corporation is attempting to avoid payment of taxes the Provincial Treasurer may direct that all taxes, penalties and interest be paid forthwith upon assessment.

Subsection (1) of section 51 is amended. This amendment allows the immediate certification of an amount where in the opinion of the Provincial Treasurer a corporation is attempting to avoid payment of taxes.

This Act came into force on April 8, 1954.

ALBERTA CORPORATION INCOME TAX ACT, 1949 AMENDMENT ACT

(Chapter 18)

(Bill 62)

This Act amends *The Alberta Corporation Income Tax Act*, 1949, being chapter 6 of the Statutes of Alberta, 1949.

Section 5 is amended by striking out clause (f) and by substituting a new clause (f). This amendment repeals from the time of its introduction in 1949 the provision that a premium received on the acquisition of shares must be included in income.

Subsection (1) of section 10 is amended to provide for the circumstances where the employer is required by contract to make the payment called for by the superannuation fund or plan on the date the employee becomes eligible to retire.

A new section 18a is added which deals with the taxation of interest on bonds or similar securities sold between interest dates. It provides that the seller of a bond shall include in income the interest accrued up until the date of sale or transfer and it further provides that the purchaser in computing its

income may deduct the proportion accruing before it purchased the bond from the total amount of interest it receives on the interest due date.

A new subsection (3a) is added to section 39 which provides that where a decision of the Provincial Treasurer, or the courts, established that there has been an overpayment of tax, interest at the rate of 6% shall be paid to the corporation on the amount of the overpayment.

The new subsection (5) added to section 43 enables a charitable corporation to be exempt from income tax in its first year even though it did not distribute 90% of its income in the year.

Subsection (1) of section 58 is amended. This amendment allows the immediate certification of an amount where in the opinion of the Provincial Treasurer a corporation is attempting to avoid payment of taxes.

This Act came into force on April 8, 1954.

CREDIT AND LOAN AGREEMENTS ACT

(Chapter 19)

(Bill 90)

This is a new Act to be known as "*The Credit and Loan Agreements Act*".

The new Act is divided into two Parts: Part I deals with sales on time payment plans, and Part II deals with loans by lenders.

Part I provides that the document evidencing the sale is required to contain certain information that will clearly show the purchaser all the particulars of the price, cost and charges of the purchase as well as the terms of payment. This Part relates only to purchases of over one hundred dollars and does not apply on the factory to dealer level. It is an offence to fail to comply with this Part. Form A in the Schedule provides a form which will enable a seller to comply with the requirements of this Part but the Form is not inflexible as a form to the like effect may be used.

Part II applies in the case of cash loans by lenders. It does not apply in the case of bank loans, loans under the *Small Loans Act* (Canada), loans on which the whole cost of the loan is ex-

pressed as a rate per centum per annum, loans by treasury branches, credit unions or on the security only of real property, or loans by pawnbrokers.

The Act requires that the document evidencing a loan of money set out certain particulars. This will enable a borrower to determine the amount of the loan, how much cash he will receive, how much the loan will cost him and other details that may be of value to him.

The lender commits an offence when his loan agreement does not contain the particulars of the loan as required by this Act.

This Act is to come into force on September 1, 1954.

CREDIT UNION ACT AMENDMENT ACT

(Chapter 20)

(Bill 18)

This Act amends *The Credit Union Union Act*, being chapter 257 of the Revised Statutes of Alberta, 1942.

Section 10 is amended by adding a subsection (2a). This subsection authorizes a credit union to use the word "co-operatives" or any abbreviations thereof. Use of the word "co-operatives" and its abbreviations is prohibited, for example, by section 9 of *The Co-operative Associations Act, 1946*; and this amendment is for the purpose of permitting credit unions to use the word and its abbreviations.

Section 19 is amended with respect to clause (j) of subsection (1). This clause authorized a credit union upon the death of a member to pay, after the expiration of two months, any moneys not exceeding two hundred dollars standing to the credit of the deceased member to his executor or administrator. Where there was no executor or administrator the moneys could be paid to the member's widow, or if no widow then the credit union was authorized to distribute such moneys "to the children in equal shares". This payment released the credit union from further liability with regard to the moneys so distributed. However, where there was no executor, administrator, widow or children, no authority existed to pay to anyone the small sum that might be standing to

the deceased member's credit. The effect of the amendment to clause (j) is to authorize the payment of these moneys to the Public Trustee for the benefit of the beneficiaries of the deceased member in the ordinary line of succession as if the member had died intestate and without a widow surviving him, when there is no executor, administrator or widow intervening.

Section 25 is amended by adding a subsection (2) which designates who is to act as chairman of the board of directors of a credit union.

Section 39 is amended. Subsection (1) contains the provisions of the present section 39 rearranged to set out more clearly the different powers and duties of a credit union with respect to borrowing. Subsection (2) is new and authorizes a credit union borrowing against the pledge of capital investments to do so without the consent of the Supervisor if the borrowing does not exceed one-half the capital investments.

Section 42 is amended by striking out the present section and substituting a new section. The new section in addition to permitting an investment by deposit in a chartered bank or other institution approved by the Supervisor, which was previously permitted under the former section, now authorizes a credit union to invest its reserve fund in investments authorized by *The Trustee Act*.

This Act is to come into force on July 1, 1954.

CROWN CULTIVATION LEASES ACT, 1954

(Chapter 21)

(Bill 94)

This Act repeals and replaces *The Crown Cultivation Leases Act*, being chapter 72 of the Revised Statutes of Alberta, 1942.

The new Act relates to crop share leases, both homestead and cultivation types and distinguishes between them.

In the case of homestead leases the Minister of Lands and Forests is authorized by this Act to pay

- (a) if the land is situate in a school district that levies and collects its own taxes, forty per cent of

the money received from the Crown's one-eighth share of the crops grown on the homestead lease to the school district and forty per cent to the municipality concerned,

(b) in all other cases, eighty per cent to the municipality concerned.

This deviates only slightly from the present practice.

In the case of cultivation leases where the rent or other consideration for the lease consists of a share of the crop being made to the Crown, the Act permits a determination being made of the assessed value of the land involved as though it were not Crown land. Notices of such determination may be sent out to the Department of Lands and Forests. Thereupon the Minister is authorized to pay to the municipality in which the land is situate, the amount shown in the notice.

In the case of land cleared and broken under the Hartman Agreement of 1945, or under *The Land Clearing and Breaking Projects Act*, if the land is held under a lease from the Crown, the land is exempt from taxation for the first three years of the lease, thereafter the municipality shall send tax notices with respect to such land to the Department. The Minister is authorized to pay the taxing authorities the amount set out in the tax notices.

This Act is to come into force on January 1, 1955.

DEPARTMENT OF EDUCATION ACT AMENDMENT ACT

(Chapter 22)

(Bill 23)

This Act amends *The Department of Education Act*, being chapter 10 of the Revised Statutes of Alberta, 1942.

Section 8 is amended by striking out clause (b). The power to appoint an official trustee and the powers of the official trustee set out in this clause are being transferred to *The School Act* by a proposed amendment to that Act.

Section 9 is amended to provide that the aggregate amount of advances outstanding for the printing and publishing or purchase of books and school supplies is not to exceed one million five

hundred thousand dollars. Previously the aggregate amount of advances outstanding could not exceed one million dollars.

This Act is to come into force on July 1, 1954, except for the amendment to section 9 which came into force at the beginning of the fiscal year.

DISABLED PERSONS' PENSIONS ACT AMENDMENT ACT

(Chapter 23)

(Bill 24)

This Act amends *The Disabled Persons' Pensions Act*, being chapter 33 of the Statutes of Alberta, 1953.

Section 2, clause (c) is amended for the purpose of extending the meaning of a disabled person to include not only a person who is physically unfit for gainful employment by reason of a chronic disability but also a person who is mentally unfit for gainful employment by reason of a chronic disability.

A new section 4a is added. It authorizes the Lieutenant Governor in Council to enter into agreements with the Government of Canada to secure to the Province the benefit of any plan of assistance or pensions to disabled persons that the Canadian Government by an Act of Parliament is authorized to give or make. Power is also given in such an event to expend Provincial moneys to implement any such plan of pensions or assistance.

This Act came into force on April 8, 1954.

DRAYTON VALLEY TOWNSITE ACT

(Chapter 24)

(Bill 116)

This is a new Act entitled "*The Drayton Valley Townsite Act*".

A new townsite is proposed for the Drayton Valley area as a result of recent developments in the Pembina oil fields. In order to ensure the orderly development of this new townsite, this Act is being enacted.

The Act provides that no subdivision of lands shall be approved in the proposed site area unless the landowners contract with the Minister of Municipal Affairs in regard to the development of

lots and other matters in the townsite area. The effect of the contract would be to control at the source the initial development of the townsite area.

This Act is retroactive to the 1st day of March, 1954.

EDUCATIONAL TAX ACT REPEAL ACT

(Chapter 25)

(Bill 93)

This Act repeals *The Educational Tax Act*, being chapter 43 of the Revised Statutes of Alberta, 1942. *The Educational Tax Act* was enacted in 1921 and levied a tax on lands and occupants of lands in certain cases for educational purposes. The tax was collected by municipal and improvement districts and paid to the Minister of Municipal Affairs. The tax is now being removed as it is considered that the limited revenue derived from this tax does not warrant the administrative effort involved in collecting it.

This Act came into force on April 8, 1954.

EMERGENCY TEACHER TRAINING ACT

(Chapter 26)

(Bill 101)

This is a new Act to be known as "*The Emergency Teacher Training Act*".

The Act will be in force only until the first day of July, 1958, unless it is earlier ordered to expire by the Lieutenant Governor in Council or unless by an address of the Legislative Assembly it is continued in force for a further period by the Lieutenant Governor in Council.

This Act empowers the Minister of Education to provide an emergency teacher training programme for the purpose of qualifying student-teachers. Student-teachers may be employed in teaching in the schools for limited periods and may remain qualified as student-teachers upon compliance with the terms and conditions set out in regulations which the Lieutenant Governor in Council is authorized to make.

This Act came into force on April 8, 1954.

EXECUTION CREDITORS ACT AMENDMENT ACT

(Chapter 27)

(Bill 45)

This Act amends *The Execution Creditors Act*, being chapter 122 of the Revised Statutes of Alberta, 1942.

Section 19, subsection (4) is struck out and a new subsection (4) is substituted. This subsection now provides that where goods are held under seizure by the sheriff, notice of proceedings by another claimant is to be filed with the sheriff as well as with the clerk or deputy clerk of the court. Previously there was no provision requiring filing of such a notice with the sheriff.

This Act came into force on March 30, 1954.

FAMILY COURT ACT AMENDMENT ACT

(Chapter 28)

(Bill 29)

This Act amends *The Family Court Act*, being chapter 32 of the Statutes of Alberta, 1952.

Section 4 is amended by adding a new clause (aa). The purpose of this clause is to confer on a judge of the Family Court jurisdiction in matters arising under *The Maintenance Orders (Facilities for Enforcement) Act*.

This Act came into force on March 30, 1954.

FIRE PREVENTION ACT AMENDMENT ACT

(Chapter 29)

(Bill 59)

The Fire Prevention Act, being chapter 266 of the Revised Statutes of Alberta, 1942, is hereby amended.

Section 26, subsection (1) is replaced by a new subsection which differs in principle from the former only in that it removes the reference to fire premiums on automobiles and excludes from the fire insurance premiums levied on for the maintenance of the fire commissioner's office, premiums paid in respect of reinsurance ceded to insurers

licensed in Alberta. It is now virtually impossible to determine the premium relating to fire insurance in the case of automobile policies, and the levy on re-insurance premiums would create a double levy, hence this amendment.

Sections 34 and 35 are renumbered 40 and 41.

Sections 34 to 39 are added under the heading "Public Halls" and are substantially the provisions contained in *The Public Halls Act* of 1912.

Section 34 requires that all outer doors and main inside doors be hinged to open outwards and facilitate the egress of people from the building and be equipped only with panic-bolt type of bolt, lock or bar. Gates to outer fences if not hinged to open out shall be kept open while the public uses the building.

Section 35 requires that buildings used for public resort or amusement have one or more means of egress acceptable to the fire commissioner in addition to the principal entrance or exit thereto.

Section 36 requires that persons in charge of such publicly used buildings keep all passageways free from obstruction and prevent overcrowding in the building.

Section 37 makes it an offence if a building does not conform to the requirements of these sections, and makes it a further offence to fail to make the building conform to the requirements.

Section 38 extends the liability to all the corporations and other persons in charge of churches, buildings and schools and buildings of public resort where there has been a violation of sections 34 to 36.

Section 39 empowers the Lieutenant Governor in Council to make regulations for the enforcement of these new sections.

This Act came into force on March 30, 1954.

FORESTS ACT AMENDMENT ACT

(Chapter 30)

(Bill 72)

This Act amends *The Forests Act*, being chapter 43 of the Statutes of Alberta, 1949.

Section 8 is amended. The definition of "pulp-wood" is changed to mean that timber that the Minister declares to be pulp-wood.

Section 9a is added to empower the Minister to declare timber below the standard of utilization for sawmilling to be pulp-wood for the purposes of this Act.

Section 11, subsection (1) is amended. Certain words are struck out because of the definition of "company" which includes these people.

Section 16 is amended by striking out clause (h) which requires certain matters relating to the competition to be set out in the advertising notice of a sale of a berth.

Section 25, subsection (1) is amended to remove a reference to *The Timber Areas Tax Act* which is to be repealed.

Section 26 is amended for that reason also.

Section 32, subsection (2) is amended to decrease the period in which renewals of licences that have expired may be renewed. The present six months' period brings it into the lumbering season.

Section 33 is amended. Reference to the timber areas tax is removed; and the ground rent is increased from twenty to thirty dollars to obtain the revenue that would have been obtained under *The Timber Areas Tax Act* were it not being repealed.

Section 35 is amended by striking out subsection (2) which provided that no licence of a berth acquired under *The Dominion Lands Act* regulations could be renewed after March 31st, 1954.

Section 37 is amended. Subsection (2), clause (e) is amended to permit the Director more often than once to renew special permits to cut timber. Subsection (3), clause (a) is amended to permit actual settlers to obtain such permits to cut timber on their own farms and to remove the authority to give such permits to persons representing settlers or groups of settlers.

Section 38 is amended by the addition of a new subsection (1) and by renumbering the present subsections. Subsection (1) as introduced into the section requires that a permittee returning a permit cut more than half of

the cutting permitted under the permit before he can obtain a refund of dues.

Section 40, subsection (5) is amended. By this amendment a permittee who overcuts will pay at least double the general rate of dues on the amount overcut.

Section 43, subsection (1) is amended. This amendment makes provision for agreements of sale under *The Public Lands Act*.

Section 50, subsection (3) is amended. This subsection previously required that a penalty of an additional ten dollars be paid each month the return required of a licensee was outstanding. This additional penalty is abolished.

Section 60, subsection (2) is amended to remove therefrom a reference to the tax under *The Timber Areas Tax Act*.

Section 63 is amended by replacing subsection (7) with a new subsection. This subsection now provides that unpaid timber dues will bear eight per cent interest until paid. Previously additional dues of five per cent of the unpaid dues were charged by way of a penalty every six months a default continued.

Section 66 is amended by the addition of new subsections (1a) to (1c). A purchaser of timber cut on public lands is required by subsection (1a) to keep a record of such purchases. By subsection (1b) he must before the 21st day of the month following the purchase pay dues on the timber, if he has retained those dues, to the Director. By subsection (1c) failure to comply with subsection (1b) is made an offence punishable by a fine.

Section 77 is amended by relettering the present clauses and by inserting a new clause (a) which requires that among the matters required to be set out in an invoice carried by a truck conveying a forest product, the date of the invoice must also be set out.

This Act came into force on April 8, 1954.

ALBERTA FREIGHT BUREAU ACT

(Chapter 31)

(Bill 56)

This is a new Act to be known as "*The Alberta Freight Bureau Act*".

It authorizes the setting up of a branch of the Provincial Government to

act as a freight rate bureau. The Freight Bureau will inform itself of all aspects of freight rates and charges in Canada and elsewhere. It will assist groups in the Province and Alberta public generally in efforts to secure and maintain rates that are fair and reasonable and in the best interest of the people of Alberta.

The Bureau will be managed by a director who will be appointed by the Lieutenant Governor in Council. An advisory council as well as advisory committees can be appointed to assist the work of the Bureau by the Lieutenant Governor in Council.

The expenses of the Bureau will be met out of sums appropriated for it by the Legislative Assembly or out of the General Revenue Fund in the absence of an appropriation.

The Lieutenant Governor is empowered to prescribe the duties of the advisory council and committees and to make regulations for the efficient operation of this Act according to its intent.

This Act came into force on April 8, 1954.

FUEL OIL LICENSING ACT AMENDMENT ACT

(Chapter 32)

(Bill 87)

This Act amends *The Fuel Oil Licensing Act*, being chapter 311 of the Revised Statutes of Alberta, 1942.

Section 2 is amended. Clause (b) is enlarged to include "liquid products obtained from bituminous sands" within the definition of fuel oil.

A new section 20a is added. This section re-enacts the provisions of sections 15 and 37 of *The Fuel Oil Tax Act*, and which are being removed from that Act.

A new section 20b is also added. This section re-enacts the provisions of section 38 of *The Fuel Oil Tax Act*.

Section 30 is amended by the inclusion of a new clause (k1) which is a re-enactment of clause (c) of subsection (2) of section 18 of *The Fuel Oil Tax Act* which is being removed from that Act.

This Act is to come into force on July 1, 1954.

FUEL OIL TAX ACT AMENDMENT ACT

(Chapter 33)

(Bill 22)

This Act amends *The Fuel Oil Tax Act*, being chapter 45 of the Revised Statutes of Alberta, 1942.

Section 2, clause (b) is amended to include "bituminous sands" among the listing of derivatives of fuel oil.

Certain sections, that is sections 15, 37, 38 and clause (c) of subsection (2) of section 18, relate to blending and grading of fuel oil and are more appropriate to *The Fuel Oil Licensing Act*. In 1936 when that last mentioned Act was enacted the provisions with regard to licensing were removed from the then existing *Fuel Oil Tax Act* and only these sections mentioned continued in *The Fuel Oil Tax Act*. As these provisions are now to be placed in *The Fuel Oil Licensing Act* they are removed by this Act from *The Fuel Oil Tax Act*.

Section 36 is amended by striking out subsection (1) and by substituting four new subsections. The amendment rearranges the matter contained in the former subsection (1) and increases the penalty for a contravention of section 12, the section prohibiting the use of coloured fuel oil.

Section 48 is renumbered as section 49 and a new section 48 is added to the Act. The new section outlines the procedure to be followed when a second or subsequent offence under this Act is charged. The provision is similar in effect to provisions in *The Vehicles and Highway Traffic Act* in respect of subsequent offences under that Act.

This Act is to come into force on July 1, 1954.

GAME ACT, 1946 AMENDMENT ACT

(Chapter 34)

(Bill 81)

This Act amends *The Game Act*, 1946, being chapter 4 of the Statutes of Alberta, 1946.

Section 2 is amended. Clause (y) defines "Indian" as a person who is registered as an Indian pursuant to the *Indian Act* (Canada) or who is entitled to be registered as an Indian. A new clause (ccc) is added which defines

“occupant of lands” as a person who has resided on the land for a period of not less than six months before he makes application for a licence or permit under this Act or the regulations. A new clause (fff) is added which defines “privately owned lands” as lands held under a certificate of title, agreement for sale, homestead lease, veterans’ homestead lease and any accrued area lease enclosed by a fence. A new clause (ll) is added which defines “unoccupied Crown lands” as any fenced or unfenced grazing lease, hay lease or any lands held under a grazing permit and any timber berth, but does not include lands held under registration as a trap line nor any lands included in any national park, provincial park, game preserve, bird sanctuary, Indian reserve or Metis area.

Section 6 is amended to provide that no person is to hunt, kill or trap any animal or any bird which is wild by nature or whilst in a state of nature unless authorized to do so.

Section 8 is replaced by a new section 8. Subsection (1) provides that if an owner or occupant of any privately owned land enclosed by a fence, posts or causes to be posted on that land a sign prohibiting hunting, killing or trapping thereon, no person is to hunt, kill or trap any big game, game bird or fur-bearing animal or any other animal or bird upon or over such land without the consent of the owner. Subsection (2) qualifies subsection (1) in that it requires the sign to be of certain dimensions and type and to be posted at a described location. Subsection (3) prohibits the placing of the signs at any place on land of which he is not the owner or occupant without the consent of that owner or occupant. Subsection (4) prohibits any person from tearing down, damaging, removing or defacing a sign except with the consent of the owner or occupant of the land. Subsection (5) prohibits any person from directly or indirectly selling, or offering for sale hunting, killing or trapping rights over any land.

Section 12 is amended by adding a new subsection (3) which prohibits any person without the authorization of the Fish and Game Commissioner to erect any sign bearing the words “Game Preserve” or the words “Bird Sanctuary”, and if such signs are so erected they may be removed by the game guardian or game officer.

Section 15 is amended to more clearly distinguish the species of wolves intended to be covered by this section.

Section 16 is replaced by a new section 16 for the purpose of protecting hawks and owls which were formerly classed as predators but are now found to be beneficial in controlling small rodents.

Section 28 is replaced by a new section 28 prohibiting a person from hunting or killing any big game unless he is clothed in an outer garment of scarlet material and a cap or other head dress of scarlet material.

Section 30 is replaced by a new section 30 prohibiting any person from hunting, taking or killing any big game by using traps, nets, snares of any kind or by using any rifle firing a .22 calibre rim fire cartridge or by using any shotgun of any description or by using any search-light, spotlight, flash-light, jack-light, night-light, pit-lamp, head-light or any other light.

Section 36 is amended. Subsection (1) provides that any person who accidentally or mistakenly unlawfully kills any big game shall properly dress the carcass and shall either deliver or be responsible for the delivery of the meat and hide to the nearest game guardian, game officer, forest officer, constable or justice of the peace, who is to dispose of the meat and hide in accordance with the instructions of the Minister.

A new subsection (2) is added which requires the person responsible for the killing of any big game to report the killing to any of the officers named in subsection (1) and to furnish an affidavit setting forth the circumstances of the killing.

Section 40 is amended. Subsection (3) is replaced by a new subsection (3) requiring the holder of any big game licence after the killing of any big game to affix to the carcass a tag issued to him with his licence. Subsection (5) is replaced by a new subsection (5) which provides that if a person is found in possession of a carcass with no valid and subsisting tag affixed thereto that person is unlawfully in possession and the carcass is liable to seizure unless that person can show that the carcass has been cleared by a game officer or game guardian.

Section 41 is replaced by a new section 41 for the purpose of clarifying the meaning of this section.

Section 46 is amended by subsection (2) being replaced by a new subsection (2) for the purpose of clarifying the intent of this subsection.

Section 50 is amended by replacing subsection (6) with a new subsection (6) for the purpose of clarifying the meaning of this subsection.

Section 77 is replaced by a new section 77 for the purpose of clarifying the intention of the section.

Section 79 is amended to correct a typographical error.

Section 93 is amended as to subsection (2) by changing the word "Grade" to the word "Class". Subsection (7) is replaced by a new subsection (7) for the purpose of making the holder of a Class A or Class B guide licence responsible for the rendering of returns at the close of a hunt of the number and species of big game animals taken by each hunter in the party.

Section 95 is replaced by a new section 95 which provides that the Minister by order may suspend or cancel a guide's licence who fails to report any offence against the provisions of this Act or the regulations or who contravenes any of the provisions of *The Forest Reserves Act*, *The Public Lands Act*, *The Forests Act*, *The Provincial Parks Act* or any regulations made under the said Acts.

Section 102 is replaced by a new section 102 which provides for the suspension or cancellation of an outfitter's licence by the Minister.

Section 104 is replaced by a new section 104 which provides for the expiration of a licence granted to a person to operate a game farm and the conditions that are to be complied with before a renewal of that licence is granted.

Section 111 is amended. Clause (b) is replaced by a new clause (b) which requires that beaver and muskrats be enclosed by a fence to prevent the movement of beaver and muskrats into or through the fur farm.

Section 123 is replaced by a new section 123 which provides that mem-

bers of the Royal Canadian Mounted Police, all forest officers and all fishery officers are *ex officio* game officers and have the same powers and duties as a game officer appointed under this Act.

Section 133 is replaced by a new section 133 for the purpose of clarifying the meaning of the section.

Section 142 is amended by removing subsection (1).

Section 154 is amended to correct a typographical error.

Section 162 is amended to correct a reference.

The Schedule is amended. Division (a), the Didsbury Game Preserve, is removed as this game preserve is now composed of four sections of privately owned land. In Division (h), the Kananaskis Game Preserve, the legal description is changed to set out the boundaries by the height of the land to prevent trespassing on the game preserve, particularly where the boundary is not marked. Division (l), the Waterton-Carbondale Game Preserve, is removed as this game preserve with the increase of elk in the area now serves no useful purpose. Division (m), the White Mud Creek Game Preserve, now serves no useful purpose as it adjoins the southern limits of Edmonton and is practically all privately owned.

This Act came into force on April 8, 1954.

GAOLS AND PRISONS ACT AMENDMENT ACT

(Chapter 35)

(Bill 31)

This Bill amends *The Gaols and Prisons Act*, being chapter 127 of the Revised Statutes of Alberta, 1942.

A new section 1a is added and the words "certified institution" and "gaol" are therein defined.

A new section 2a is added. Subsection (1) empowers the Lieutenant Governor in Council to certify industrial schools or other institutions as gaols, reformatories, etc. Subsection (2) applies certain sections of the Act to these certified institutions. This amendment has reference to Part X of the

Prisons and Reformatories Act (Canada) wherein the term "certified institution" occurs in connection with the Bowden Institute.

Section 9 is amended. This section permits the Attorney General to direct employment outside the limits of the gaol of persons sentenced to imprisonment with hard labour for an offence under a Provincial Act or for a violation of a by-law of a municipality. The reference to hard labour is removed by this amendment.

Section 12 is amended. This section prohibits certain dealings by officers of a gaol with respect to intoxicating liquors. The purpose of the amendments to subsections (1), (2) and (3) is to bring the subsections into conformity with *The Liquor Control Act* and to remove from this Act a prohibition against the sale of intoxicants, which is a punishable offence under *The Liquor Control Act*. The penalties provided for by this section are now made identical in extent with the general penalties provided in *The Liquor Control Act*. Subsection (4) is replaced by a new subsection that provides a forfeiture of office by an officer or employee of a gaol convicted of an offence under this section or under section 137 of *The Liquor Control Act*. Previously the forfeiture of office applied only upon a conviction for a second offence under this section.

Section 15 is amended. Subsection (1) is amended for the purpose of increasing the penalty for trespass on prison property, illegal loitering and entering from ten to fifty dollars and increasing the term of imprisonment for default from one to three months. The reference to hard labour is removed from this subsection as well as from subsection (2) which is amended to increase the penalty for a subsequent offence under this section to two hundred and fifty dollars from fifty dollars, and the term of imprisonment for default from three to six months.

This Act came into force on March 30, 1954.

GARAGEMEN'S LIEN ACT AMENDMENT ACT

(Chapter 36)

(Bill 84)

This Act amends *The Garagemen's Lien Act*, being chapter 233 of the Revised Statutes of Alberta, 1942.

Section 2 is amended by adding new clauses (c) and (d). Clause (c) defines "Motor Vehicle Branch" as the Branch of the Department of the Provincial Government charged with the administration of *The Vehicles and Highway Traffic Act*. Clause (d) defines "registration clerk" as being the registration clerk in the Motor Vehicle Branch with whom are registered claims of lien under this Act.

Section 4 is amended. Subsection (1) is struck out and a new subsection (1) is substituted which provides that a lien ceases and determines on the twenty-first day after the day service entitling the garageman to a lien terminated unless on or before that day the garageman files a claim of lien in the office of the registration clerk. Subsection (3) is struck out. Subsection (4) provides that the registration clerk instead of the Deputy Provincial Secretary is to keep the record of claims of liens.

A new section 11 is added which provides the scale of fees that the registration clerk may charge.

This Act came into force on March 30, 1954.

ALBERTA GAS TRUNK LINE COMPANY ACT

(Chapter 37)

(Bill 96)

This Act enacts a new Act to be known as "*The Alberta Gas Trunk Line Company Act*".

The Act provides that the Lieutenant Governor in Council designate not more than seven persons who will constitute the provisional directors and who together with shareholders will constitute the Alberta Gas Trunk Line Company.

The capital stock of the new company will consist of Class "A" and Class "B" common shares totalling eight million two thousand and two shares with a par value of five dollars. Voting rights are attached only to the two thousand and two Class "B" common shares from amongst the holders of whom the directors of the company will be selected.

The Class "B" common shares are divided into four Groups and are for allotment only to persons who qualify to hold shares of a Group. Group I

shares are for allotment to gas utility companies, Group II to gas export companies, Group III to gas producers and processors, while Group IV is reserved for allotment to those persons who will be appointed later to the Board of Directors of the company by the Lieutenant Governor in Council.

Strict control of the disposition of Class "B" common shares is provided by the Act, and except in certain limited cases, if the business in respect of which any Group of the Class "B" shares were issued changes, the Class "B" common shares are to revert to the company for re-allotment to qualified persons. The Class "B" shares will have no speculative value on reversion or re-allotment thereafter.

No holder of a Class "B" common share can hold shares of more than one Group thereof and only holders of such shares vote in respect of the affairs of the company.

These Class "B" shares will be allotted in accordance with a formula by the Board of Directors. The formula is calculated to ensure the equitable distribution of such shares among the main gas interests in the Province on the basis of their investments in Alberta.

The powers of the company are restricted inasmuch as they are to be exercised only within Alberta and are subject to the orders of the Petroleum and Natural Gas Conservation Board and to the general legislation of the Province.

Certain Acts of the Province are expressly made applicable to the company and power is given the Lieutenant Governor in Council to suspend such application in the event of difficulty arising as a result of application of those other Acts to the company and its operations.

The directors will be chosen on the basis of one director representing the gas utility Group of Class "B" common shareholders, one representing the gas exporting Group of Class "B" common shareholders, and three representing the larger class of the gas producers and gas processors Group of Class "B" common shareholders. Two directors will be appointed by the Lieutenant Governor in Council to represent the Alberta public at large.

Members of the Government and members of the public service of Alberta are not to be designated or appointed as directors.

The Board of Directors will administer the affairs and business of the company and by their by-laws provide for all other matters and things requisite and proper for the carrying on of the business and objects of the company.

The provisional directors will carry on the company until the permanent directors are elected.

This Act came into force on April 8, 1954.

HEALTH UNIT ACT AMENDMENT ACT

(Chapter 38)

(Bill 43)

The Health Unit Act, being chapter 38 of the Statutes of Alberta, 1951, is amended by this Act.

Section 7 is amended. Subsection (1) is amended to increase the permitted allowance for meetings from \$8.00 to \$10.00 per meeting day. Subsection (2), which prescribed that certain resolutions of the board dealing with expenses of the members should receive the approval of the Minister, is repealed.

Section 15 is amended. This amendment provides that the Department of Public Health will pay sixty per cent of all operating costs of a health unit where before the Department was not required to pay toward furnishings and some other costs.

Section 16 is amended. Subsection (3) is replaced by a new subsection that provides that population figures may be based on the figures used for the purposes of *The Municipal Assistance Act*, 1951, where, before, the figures could only be based on the Dominion census of 1951 or a later similar census.

Section 17 is replaced by a new section. This section now provides for the appointment of an official auditor for each health unit, the auditing of the unit's accounts and a reporting thereon. Overpayments by any of the contributories to the health unit when disclosed by the auditor will be ad-

justed in the current contributions to the health unit. A board is required to submit financial disbursement estimates quarterly to the Minister. The accounts of a health unit are to be open for inspection by Department of Public Health officials.

This Act came into force on April 8, 1954.

HIGHWAYS DEPARTMENT ACT AMENDMENT ACT

(Chapter 39)

(Bill 120)

This Act amends *The Highways Department Act*, being chapter 39 of the Statutes of Alberta, 1951.

Section 10, subsection (3) of the Act provides that the net amount of the advances (made from the General Revenue Fund to the stock advance fund) at any time shall not exceed six million dollars. The effect of this amendment is to increase this maximum to seven million dollars.

This Act came into force on April 8, 1954.

HOME FOR AGED OR INFIRM ACT AMENDMENT ACT

(Chapter 40)

(Bill 55)

This Act amends *The Home for Aged or Infirm Act*, being chapter 14 of the Statutes of Alberta, 1945.

A new section 4a is added. Subsection (1) enables the Minister with the approval of the Lieutenant Governor in Council to pay to a municipality that provides for the erection or purchase of a home with ten beds or more for the aged or infirm a grant of one-third of the cost thereof or five hundred dollars a bed, whichever is the lesser. Previously there was no provision for such assistance. Subsection (2) provides that the Lieutenant Governor in Council may make regulations respecting the manner in which such a home is to be equipped and operated.

This Act came into force on April 8, 1954.

HOSPITALIZATION AND TREATMENT SERVICES ACT AMENDMENT ACT

(Chapter 41)

(Bill 42)

This Act amends *The Hospitalization and Treatment Services Act*, being chapter 56 of the Statutes of Alberta, 1953.

Section 9 is amended. This section authorizes the Minister to pay grants to schools of nursing. The amendment restricts the grant to approved schools of nursing.

Section 12 is amended. A new clause (e) sets out expressly the power of the Lieutenant Governor in Council to make regulations providing for the manner in which hospitalization and treatment services costs will be made, and the persons to whom payments may be made, as section 6 by its reference to agreements creates an ambiguity in this regard to the administration of this Act.

This Act came into force on March 30, 1954.

HOSPITALIZATION OF CITY RESIDENTS ACT AMENDMENT ACT

(Chapter 42)

(Bill 106)

This Act amends *The Hospitalization of City Residents Act*, being chapter 29 of the Statutes of Alberta, 1950.

Section 3, subsection (1) is amended to extend the ceiling of eight dollars on the minimum hospital tax to ten dollars.

This Act came into force on April 8, 1954.

HOSPITALS ACT AMENDMENT ACT

(Chapter 43)

(Bill 34)

This Act amends *The Hospitals Act*, being chapter 184 of the Revised Statutes of Alberta, 1942.

Section 2 is amended to define "local hospital".

Section 3, subsection (1) is amended to clarify the meaning of approved hospitals where that term appears in this and other Acts. The meaning is presently obscure.

Section 3b, subsection (2), clause (c) is amended to permit the benefit of a hospitalization contract to become available sixty days after the contract is entered into. At present benefits under such contracts become available on the 1st of January or the 1st of July. The new provision is additional to the old requirement which may still be retained if desired.

Section 3c is replaced by a new section 3c. The purpose of this amendment is to permit local authorities or municipal hospital district boards to be paid the daily hospitalization grant where the patient is hospitalized as an emergency patient or a referred patient in an active treatment hospital, and where the local authority or board pays the hospitalization account without restricting the hospitalization period of the patient in the active treatment hospital. Previously this permission extended only to such patients as were hospitalized in an approved hospital which of necessity meant in a provincial hospital receiving a hospital grant under section 3. The section also has been revised to set out more clearly the circumstances in which it applies.

A new section 3n has been added to authorize the Minister to reimburse a local authority or municipal hospital district board up to half of the amount paid by the authority or board to a patient who had been hospitalized in a local hospital with which the authority or board has not been able to obtain a hospitalization agreement. This authorization is qualified in that the amount of the reimbursement cannot be greater than the amount of reimbursement if an approved agreement had been in force with the local hospital.

Section 5 is amended. The amendment to subsection (9) provides that the residence of a baby born in a hospital shall for the purposes of this Act be deemed a resident of its mother's municipality. Previously, the residence of such a baby was determined by its parents' residence. Subsection (10) is amended to correct a reference to an Act and to add *The City Act* to the municipal Acts mentioned in this section.

Section 6, subsection (9) is amended for the same purpose as subsection (10) of section (5).

Section 7, subsection (2) is amended for the purpose of having this section

conform with the proviso in subsection (4) of section 6 which was added in 1944 and amended in 1952.

This Act came into force on April 8, 1954.

HOUSING ACT AMENDMENT ACT

(Chapter 44)

(Bill 110)

This Act amends *The Housing Act*, being chapter 38 of the Statutes of Alberta, 1952.

Sections 6, 7, 9 and 10 are amended to make the sections refer to the latest Federal National Housing Act rather than to the *National Housing Act, 1944*, (Canada).

This Act came into force on April 8, 1954.

NATIONAL HOUSING LOANS ACT (ALBERTA) AMENDMENT ACT

(Chapter 45)

(Bill 111)

This Act amends *The National Housing Loans Act (Alberta)*, being chapter 6 of the Statutes of Alberta, 1945.

Sections 2, 4 and 5 are amended to make the sections refer to the *Federal National Housing Act, 1954* (Canada).

This Act came into force on April 8, 1954.

IMPROVEMENT DISTRICTS ACT, 1947 AMENDMENT ACT

(Chapter 46)

(Bill 99)

This Act amends *The Improvement Districts Act, 1947*, being chapter 9 of the Statutes of Alberta, 1947.

Section 13a provides that in cases where the Minister of Municipal Affairs has entered into an agreement with an approved hospital concerning the hospitalization of residents of the district, the Minister may fix a minimum hospital tax in an amount not exceeding eight dollars to be paid by every person assessed in the district. The amendment increases the ceiling on the minimum hospital tax to ten dollars instead of eight dollars.

A new section 43a is added and empowers the Minister of Municipal Affairs to enter into contracts for the supplying of public utility services to improvement districts. The services include water, gas, electricity and sewerage services.

This Act came into force on March 30, 1954.

INTERPRETATION ACT AMENDMENT ACT

(Chapter 47)

(Bill 27)

This Act amends *The Interpretation Act*, being chapter 1 of the Revised Statutes of Alberta, 1942.

Section 2 is amended to obviate the necessity of repeating the expression "unless the context otherwise requires" in the interpretation section of each Act of the Legislature.

Section 41 is amended to conform to the new Royal style and Royal title as adopted by an amendment to *The Interpretation Act* (Canada) by Parliament in an Act passed at the 1953 session.

This Act came into force on March 30, 1954.

IRRIGATION DISTRICTS ACT AMENDMENT ACT

(Chapter 48)

(Bill 76)

This Act amends *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942.

Section 4 is amended. Under forfeiture proceedings for non-payment of irrigation rates both under this Act and *The Lethbridge Northern Rates Enforcement Act* (now repealed), it has been considered that surface rights only were affected. This view has existed since 1925. However, certain words of section 4 in respect of minerals conflict with that view and are therefore struck out; and since that view has been prevalent for so many years this amendment to section 4 is made retroactive to December 1st, 1925.

Section 4a is added. It provides simply that no mineral rights are or

have been acquired by an irrigation district, however they were purported to be acquired, unless they are expressly conveyed.

This Act came into force on April 8, 1954.

JUDICATURE ACT AMENDMENT ACT

(Chapter 49)

(Bill 54)

This Act amends *The Judicature Act*, being chapter 129 of the Revised Statutes of Alberta, 1942.

Section 34, clause (f) is amended to decrease the period of redemption in the case of urban lands to six months.

Section 36 is amended by adding a new clause (r). The new clause empowers the judge after the commencement of the action upon any mortgage or agreement for sale of urban land to appoint a receiver and to fix a rent for any use or occupation of the urban land, where there are no rents and profits arising therefrom.

Section 43, subsection (1), clause (a) is struck out and a new clause is substituted. This clause prescribes the hours during which the offices of the Clerks of the Court are to be kept open. The introduction of the five day week has made necessary a change in the hours set out in this section. The new clause excludes Saturday from the days that the offices of the Clerks of the Court are required to be open.

This Act came into force on March 30, 1954.

KING'S PRINTER ACT AMENDMENT ACT

(Chapter 50)

(Bill 51)

This Act amends *The King's Printer Act*, being chapter 25 of the Revised Statutes of Alberta, 1942.

The term "King's Printer" is replaced by the term "Queen's Printer" throughout the Act.

This Act came into force on April 8, 1954.

ALBERTA LABOUR ACT AMENDMENT ACT

(Chapter 51)

(Bill 73)

This Act amends *The Alberta Labour Act*, being chapter 8 of the Statutes of Alberta, 1947.

Section 2, clauses (g) and (q) are amended. Clause (g) defines "employee" while clause (q) defines "wage". As the definition of "employee" depends in part upon the definition of "wage" both definitions are amended to remove a repetition occurring therein and thereby to define both terms more shortly.

Section 3, which relates to the applicability of this Act, is amended to clarify the extent of the application of the Act.

Section 10 is amended. This relates to the records which employers are required to keep and is amended for clarification. In addition a provision has been added whereby employers are required to keep records concerning annual holidays of employees.

Section 13, subsection (2) is amended for the purpose of granting to employers a longer period of time in which to report overtime worked in the previous month by their employees, and also to remove the necessity of recording the particulars of the overtime in detail.

Section 15, subsection (1) is amended to remove an ambiguity which mitigates against the intention of the section that an employee receive 24 hours of rest in each period of 7 consecutive days.

Section 17 is amended for the purpose of clarifying the intent. As the section presently reads an employer would be guilty of an offence if he did not give his employees 24 hours' notice that the schedule of hours of work was to be exceeded; it was intended that this provision apply to change of shift and the new subsections (1) and (3) so state.

Section 18 is repealed to remove the burdening of an employer with a duplication of records as the hours of work of an employee are required as a matter of record by section 10 and the present

section 18 requires the same thing with regard to additional hours worked by an employee in certain cases.

Section 19 is amended for the purpose of clarifying the intent of the section and makes no substantive change.

Section 21 is amended to remove a latent ambiguity in the section and to restrict its provisions to the employees of an employer.

Section 24, subsections (1) and (2) are amended to remove an inconsistency between the provisions of clause (a) of subsection (1) and clause (a) of subsection (2), and the rest of the section.

Section 28 is amended for the purpose of setting out more clearly the powers of the Board with respect to the fixing of a fair wage in industries in the Province.

Section 29 is amended for the purpose of setting out more clearly the penalties prescribed for a violation of the minimum wage rate fixed by the Board under Part II of *The Alberta Labour Act*.

Section 34 is amended for the purpose of removing an ambiguity presently existing in the section and also for the purpose of adding by way of a new subsection a provision that this section when it prohibits the employment of children does not apply to a child who is securing vocational training through employment and properly excused from school for that purpose.

Section 43 is amended as to subsection (1) by re-arranging clause (b) to show more clearly the power the Board is given under this subsection. Clause (b) of subsection (1) is amended to refer to a holiday with pay stamp book. The holiday with pay stamp book is further dealt with by a new subsection (1a) and requires that while an order requiring the issuing of a holiday with pay stamp book remains in force an employer who accepts a holiday with pay stamp book from his employee must maintain the same, and if unable to return the same to the employee one week after a demand therefor make up one and give it to his employee.

Section 45 clause (b) is amended for the purpose of defining "schedule" more accurately.

Section 47 is amended to substitute a defined term where that defined term is actually meant.

Section 48 is amended, firstly, to rearrange the content of the present section into three subsections for ease of reading; secondly, to strike out clause (j) of the present section 48 which permitted employers and employees in industries to fix a charge or price for services to the public and thirdly to place in this section as subsection (4) the present section 55, which prohibits certain wage rates and labour hours being set out in the schedule being formulated under section 48.

Section 49 is amended. The present section 49 is rearranged into subsections. Section 50 has been incorporated into section 49 as a subsection thereof as it relates to the same matters as dealt with by section 49.

Section 50 is repealed as it is incorporated into section 49.

Section 52, subsection (1) which provides for the setting up of an advisory council by the employees and employers engaged in an industry to which a schedule relates, is amended to ensure that the advisory council will be a joint council having equal representation of employers and employees.

Section 53, subsection (1) is amended to remove an ambiguity and to make it clear that an employer shall not pay to an employee a wage less than the minimum wage fixed by a schedule.

Section 54, subsection (1), which prohibits an employee from working for less than the minimum wage fixed by the schedule or for a greater number of hours than the maximum hours fixed by the schedule, is amended for the purpose of clarifying the provision.

Section 55 is repealed as it is now incorporated in section 48.

Section 57 is amended. Clause (a) of subsection (1), which defines "bargain collectively" is amended to remove an ambiguity caused by a difference in terminology between the terms used in the definition and defined terms found elsewhere in this subsection. Clause (k) is added to define the word "unit" as it is used in Part V of the Act relating to collective bargaining.

Subsection (2) is amended for the purpose of clarifying the intention of that section which is to ensure that if an employee was dismissed from his employment immediately before an application for certification of a bargaining agent or an application for an appointment of a conciliation commissioner, or before the occurrence of a legal lock-out or strike, the employee is to be deemed to be employed for the purpose of the Act until the application for certification is disposed of, or in the case of a dispute until after the dispute has proceeded through conciliation, arbitration and until the dispute is finally settled by a strike or lock-out or otherwise. The presumption is established to protect an employee in any case where a majority of his fellow employees wish to enjoy collective bargaining.

Section 59 is amended. This section presently contains eleven subsections, not all of which deal with the same subject matter. In the past this has caused some uncertainty as to the extent of provisions contained in individual subsections. Section 59 is therefore rearranged into sections 59, 59a to 59n, inclusive. Section 59 now provides that collective bargaining is lawful. This was the previous subsection (1) of section 59.

Section 59a provides that a bargaining agent may be elected by the employees of a unit where they have no bargaining agent.

Section 59b prescribes the cases in which a bargaining agent may apply to the Board for certification.

Section 59c makes provision for the joint application of trade unions to be certified as bargaining agents. These provisions relate to two or more trade unions of the same craft or of a group exercising the same technical skills. The application would be dealt with as though it were an application by one trade union.

Section 59d prescribes the inquiries that the Board of Industrial Relations will make after the receipt of an application for certification of a bargaining agent.

Section 59e sets out the powers of the Board with respect to an inquiry upon the application for certification of a bargaining agent.

Section 59f prescribes the conditions upon which the Board will certify an applicant to be a bargaining agent or will refuse such an application.

Section 59g forbids the certification as a bargaining agent of any organization of employees dominated by the employer, and an agreement entered into between an employer and such an organization shall be deemed not to be a collective agreement.

Section 59h sets out the result following upon a trade union being certified as the bargaining agent of employees in a unit.

Section 59i relates to and permits the making of an application for the suspension of a certification of a bargaining agent.

Section 59j sets out the result of a suspension of a certification of a bargaining agent.

Section 59k relates to and permits the making of an application for the removal of a suspension of a certification of a bargaining agent.

Section 59l sets out the powers and duties of the Board with respect to the procedure and investigations and orders which it may make for the purpose of determining the merits of any application made to the Board for certification, for suspension of a certification or for the removal of the suspension of a certification of a bargaining agent.

Section 59m prescribes the employees entitled to vote under any vote taken under sections 59l, 80, subsection (7) or 81, subsection (4).

Section 59n relates to subsequent applications made after an application for certification, for suspension of a certification or for the removal of the suspension of a certification of a bargaining agent has been refused by the Board.

Section 60 is amended. Subsection (2) is amended to provide for five days' notice instead of three days' notice where notice to commence collective bargaining is given by a party. Subsection (4) is amended for clarification. Subsections (5) to (10) are struck out. Subsection (5) becomes a new section 85a; subsections (6) and (7) are struck out as they provide for the intervention of the Board of Industrial Relations on the request of the Minister. These last

two subsections serve no useful purpose since the Act provides for the appointment of a conciliation commissioner. Subsection (8) becomes subsection (3) of section 68. Subsections (9) and (10) relate to the case of the intervention by the Board on the request of the Minister and are struck out for the same reason as subsections (6) and (7) were removed.

Section 61, subsection (1) is amended. A new subsection (1a) expands the present provision with respect to the terms of a collective agreement for a term in excess of one year and provides that such an agreement shall contain or be deemed to contain a provision for termination of the agreement after the first year by mutual consent of the parties, or at the end of the second or subsequent years by at least two months' notice by either party to the agreement before the end of each year that the agreement continues in effect. It is the purpose of this amendment to encourage longer term collective agreements. Subsection (4) is amended for the purpose of making any collective agreement entered into between a bargaining agent, (whether certified or not), and an employer, binding upon the bargaining agent, the employer and all of the employees in the unit on whose behalf the bargaining agent entered into the agreement. Subsection (5) is amended to relate the provisions to the amended subsection (4). A new subsection (6) makes provision for penalties in case parties to a collective agreement or any person covered by the agreement contravene the provisions of section 61.

Section 62 is amended for the purpose of making it clear that any question involving the relations between an employer and a majority of his employees in a unit shall be determined by an expression of opinion by the majority of the employees.

Section 63 is amended. This section which prohibits employers from having certain dealings with trade unions is amended for the purpose of providing that an employer may make to a trade union donations to be used solely for the welfare of employees in the trade union and the dependants of employees.

A new section 64b is added. It prohibits an employer from altering any of the conditions of employment or giving effect to any change in wages or hours of work during the period of time inter-

vening between the date of application for certification of a bargaining agent and the date the application is disposed of, and is for the purpose of preventing undue influence by an employer prior to the Board of Industrial Relations taking a vote of the employees.

Section 66, subsection (1) is amended for clarification.

Section 68 is amended. Subsection (1) is amended. By the present wording of this subsection a dispute might arise and the parties could make application for the appointment of a conciliation commissioner even though a collective agreement was in effect and that dispute could affect only one employee. The new subsection (1) is for the purpose of making the provisions relate only to disputes arising in the course of negotiations for a collective agreement or for the revision or renewal of existing agreements. The new subsection (2) is the previous subsection (8) of section 60.

Section 71, clause (b) is amended for the purpose of making it clear that the conciliation commissioner's recommendations are to be submitted to the parties for their consideration.

Section 75, subsection (2) is amended for the purpose of clarifying the provisions of this subsection and to acknowledge the new status of Canadian citizenship. Subsection (7) is amended to clarify its intent.

Section 79, subsection (3) is amended to clarify the intent.

Section 80 is amended. Subsection (2) is amended to remove a reference to two subsections of section 60 which have been repealed. Subsections (7), (8) and (9) are amended to remove any uncertainty with respect to the rights of employees to vote on the question of acceptance or rejection of the award of a board of arbitration and to further provide that the results of voting supervised by the Board shall be determined upon a majority vote of the employees voting.

Section 81 is amended. Subsection (1) is amended to remove a reference to matter and subsections that have been repealed. Subsection (4) is amended for the purpose of clarification.

Section 82a, subsection (2) is amended to make it clear that the power of the Minister to refer the matter of a

strike or lock-out to a judge of the Supreme Court for adjudication as to the legality or illegality of the strike or lock-out is not operative only in and to the period during which a strike or lock-out exists.

Section 82b is repealed.

Section 82c is amended to ensure that any amount assessed a trade union for participating in an illegal strike will be based on the actual time lost by an employee participating in the strike.

Section 82e is amended to provide that the amount assessed upon an employer in the case of an illegal lock-out will be based on the actual time lost by a locked out employee.

Section 85a is added. Subsection (5) of section 60 previously provided that no prosecution for an infraction of the provisions of the old section 60 could be commenced or carried on by any person other than the person authorized in writing by the Minister so to do. The new section 85a provides that no prosecution for an offence under Part V is to be instituted without the consent in writing of the Minister. Subsection (2) sets out the sufficiency of the Minister's consent.

Section 87, subsection (3) is amended. This subsection provides that any information furnished pursuant to subsection (1) (wherein the Minister might request trade unions to give him statements of their receipts and expenditures) may be used solely by the Minister and officers of the Department of Industries and Labour for certain purposes. The amendment is to clarify the intent of the subsection that such information shall be used for certain purposes only.

Section 91, subsection (2) is amended for the purpose of removing superfluous words.

This Act came into force on April 8, 1954.

ALBERTA LAND SURVEYORS ACT AMENDMENT ACT

(Chapter 52)

(Bill 40)

This Act amends *The Alberta Land Surveyors Act*, being chapter 287 of the Revised Statutes of Alberta, 1942.

Section 3 is amended. The section has been redrafted to conform to present drafting practice and now contains two subsections. Subsection (1) contains the prohibition against the surveying of lands other than Dominion lands by persons who are not registered as land surveyors under this Act. Subsection (2) provides for imprisonment for default in paying the fine there prescribed. The imprisonment provision is the only substantive change made to the section by this amendment.

Section 7, subsection (3) is amended. The effect of this amendment is to make meetings of the council mandatory upon the order of the president or upon the request of three members of the council, where, previously, the subsection was enabling only.

A new section 23 replaces the former section. The purpose of the new section is to make it clear that a candidate or applicant who is required to take an examination at the University of Alberta is also required to pay the University's fees therefor. Previously the only fee for examination mentioned in section 23 was that for an examination of an applicant for admission to articles. Other examination fees charged by the University were not expressly required to be paid by the Act.

Section 26 is amended to complete the references to sections excepted from the provisions of section 26.

Section 40 is amended to remove the requirements that opposite the names of all registered persons who have died a statement of this fact, be entered on the register.

Form C in the Schedule is amended. By the articles of apprenticeship the apprenticed surveyor binds himself in the sum of five hundred dollars. This is now referred to as a "penal" sum. The amendment removes the reference to "penal" sum.

This Act is to come into force on July 1, 1954.

LAND TITLES ACT AMENDMENT ACT

(Chapter 53)

(Bill 33)

This Act amends *The Land Titles Act*, being chapter 205 of the Revised Statutes of Alberta, 1942.

Section 19 prescribes the hours of the week during which Land Titles Offices are to be kept open for the public. With the introduction of the five-day week the hours set out in this section for Saturday require to be changed. The amendment excludes Saturdays and holidays from the days during which the Land Titles Offices are required to be open.

A new section 51a is added to provide a means of filing a mineral unit operation agreement in the Land Titles Office and to authorize the endorsement of a memorandum of such agreement on the certificate of title of lands to which the agreement relates.

This Act came into force on April 8, 1954.

LEGAL PROFESSION ACT AMENDMENT ACT

(Chapter 54)

(Bill 39)

This Act amends *The Legal Profession Act*, being chapter 294 of the Revised Statutes of Alberta, 1942.

Section 4 is amended. This section prescribes the persons who are the members of the Law Society of Alberta. The amendment restricts the membership to those enrolled members who do not cease to be British subjects or Canadian citizens or to be members in good standing.

Section 7 is amended to permit past presidents of the Law Society who are members of the Society to be benchers of the Society. At the same time the present provision that all past Attorneys General of Canada and Attorneys General of Alberta are *ex officio* benchers has been removed.

Section 11 is amended to make it clearer that only those members in good standing whose names appear on the finally settled voter's list under the procedure provided in section 13 are entitled to vote at an election of benchers of the Society.

Section 61 is repealed. This section required that certain persons be enrolled as members of the Society, and made other provisions with respect to the class of students-at-law. One person here referred to is the person who obtains his legal education by five years under articles with a practising lawyer.

This class of student-at-law has now disappeared and the reference is obsolete. The provisions relating to extra-provincial legal practitioners in this section is being brought into the new section 62 which deals entirely with enrolment in the Law Society of Alberta.

Section 62 is struck out and a new section substituted. Subsection (1) is the former section 62b with the requirements of the former section 62 relating to graduates of the University of Alberta included. Subsection (2) is the former subsection (2) of the former section 62b. Subsection (3) is the former section 61b relating to extra-provincial legal practitioners. Subsection (4) is the former section 63 with the reference to Her Majesty's Dominions made more consistent with the present status of the Crown. Subsection (5) is new. While this section commands the benchers to enrol persons with certain qualifications, section 64 requires every person before being enrolled to take the barrister's and solicitor's oath in open court. Subsection (5) is a recognition of this requirement and a reference thereto. This section consolidates in one section the provisions prescribing the persons who shall be enrolled as members of the Law Society.

Sections 62b and 63 are repealed as the matter in these sections has been placed in the new section 62.

Section 75 is amended. The first few lines of this section were a reflection of conditions in the west prior to the creation of the provinces of Alberta and Saskatchewan. The amendment removes the reference to the province of Saskatchewan.

This Act came into force on April 8, 1954.

LEGISLATIVE ASSEMBLY ACT AMENDMENT ACT

(Chapter 55)

(Bill 100)

This Act amends *The Legislative Assembly Act*, being chapter 4 of the Revised Statutes of Alberta, 1942.

Section 4 of the Act provides that certain sections and parts of sections restricting the payment of sessional allowances will not apply in the case of the member for Red Deer during the 1954 session.

Section 15 is amended to provide that the receipt of compensation or pension benefits under *The M.L.A. Compensation Act* or *The Public Service Pension Act* will not render a member ineligible to hold his seat in the Legislature.

Section 54 is amended. Subsection (1) is amended to extend the sessional indemnity payable to members of the Legislative Assembly from two thousand dollars to two thousand four hundred dollars and to extend the allowance for expenses incidental to the discharge of their duties from one thousand dollars to one thousand two hundred dollars. Subsection (5) is added to make reference to the allowance payable to the recognized leader of the opposition in the Legislature.

This Act came into force on April 8, 1954.

ALBERTA LIVE STOCK AND LIVE STOCK PRODUCTS ACT AMENDMENT ACT

(Chapter 56)

(Bill 65)

This Act amends *The Alberta Live Stock and Live Stock Products Act*, being chapter 88 of the Revised Statutes of Alberta, 1942.

Section 2 is amended for the purpose of including therein a definition of "stock yards".

Section 3a is new. It authorizes the Minister to declare a public market for the sale or holding of live stock to be a stock yard for the purposes of this Act. The Lieutenant Governor in Council is empowered to make regulations with respect to licensing of stock yards, to prohibit the operation of unlicensed stock yards, and to define classes of stock yards.

Section 4, subsection (1) is amended. By this amendment power to require the licensing of stock yard operators is given to the Lieutenant Governor in Council and, also, power to exempt any operators, class of stock yard and stock yards from licensing regulations is given to the Minister, while power to make rules and regulations governing the design, equipment, construction and operation of stock yards is given the Lieutenant Governor in Council.

Section 7 is amended to make subsections (1) and (2), providing for the appointment and duties of veterinary inspectors, relate to stock yards as well as packing plants and slaughter houses. Clause (e) is added to subsection (3) and authorizes the Minister to make regulations prescribing the standards of sanitation to be maintained in stock yards.

This Act came into force on April 8, 1954.

LIVE STOCK DISEASES ACT AMENDMENT ACT

(Chapter 57)

(Bill 64)

This Act amends *The Live Stock Diseases Act*, being chapter 10 of the Statutes of Alberta, 1946.

By chapter 60 of the Statutes of Alberta, 1949, provisions relating to the control of Brucellosis were added to this Act. The amendment of 1949 provided for the setting up of Brucellosis restricted areas in municipal districts and improvement districts. The Agricultural Service Boards of these districts constituted under *The Agricultural Service Board Act* to assist and advise the local authority therein, were given duties with regard to a Brucellosis restricted area within the area for which the Board was established. However, some sections of the amending Act of 1949, by the wording used seem to indicate that the administration of a restricted area is transferred from the local authority to the Agricultural Service Board of the district in which the restricted area is situate. As this is not so, the Act is amended to express more explicitly the duties of the Agricultural Service Board.

Section 3b is amended. Subsection (1) is struck out. Subsection (2) is amended to remove the reference to the Agricultural Service Board therein. Subsection (3) is amended to authorize grants of the Province for the eradication of Brucellosis to be made to a municipal district or improvement district instead of to the Agricultural Service Board concerned.

Section 3f is amended. Subsection (1) is amended to remove the reference to the Agricultural Service Board therein. Subsection (2), which authorizes the recovery of the cost of action taken for

the purpose of disinfecting infected premises by the Agricultural Service Board, is amended to authorize the municipality to recover these costs.

Section 3h is amended for the purpose of having the protection there given against actions for acts done under this Act extended to include all the officials administering this Act or assisting therein.

This Act came into force on April 8, 1954.

MAGISTRATES AND JUSTICES ACT AMENDMENT ACT

(Chapter 58)

(Bill 114)

This Act amends *The Magistrates and Justices Act*, being chapter 134 of the Revised Statutes of Alberta, 1942.

There being in practice no distinction between a Police Magistrate and a Magistrate, this Act is being amended to remove the word "Police" wherever it occurs in the Act.

This Act came into force on April 8, 1954.

MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT AMENDMENT ACT

(Chapter 59)

(Bill 32)

This Act amends *The Maintenance Orders (Facilities for Enforcement) Act*, being chapter 13 of the Statutes of Alberta, 1947.

Section 3, subsection (2) and section 6, subsection (1) are amended to include the Family Court as a court in which an order made under this Act by a court other than a court of superior jurisdiction may be registered or confirmed.

The amendments to this Act are complementary to amendments being prepared for *The Family Court Act*.

This Act came into force on March 30, 1954.

ALBERTA MARKETING ACT AMENDMENT ACT

(Chapter 60)

(Bill 14)

This Act amends *The Alberta Marketing Act*, being chapter 253 of the Revised Statutes of Alberta, 1942.

Section 20 is amended. This section authorizes the Provincial Treasurer, with the approval of the Lieutenant Governor in Council to make advances out of the General Revenue Fund to corporations that are wholly owned subsidiaries of the Provincial Marketing Board. The advances were for the establishment, organization and operation of the subsidiary corporation and for its financing. The section presently limits the total amount of advances under the section to \$200,000.00 per corporation. The amendment increases the total of advances permitted a corporation to \$500,000.00.

This Act came into force on April 8, 1954.

MASTERS AND SERVANTS ACT, 1954

(Chapter 61)

(Bill 48)

This Act enacts a new Act entitled "*The Masters and Servants Act, 1954*" which repeals and replaces *The Masters and Servants Act*, being chapter 136 of the Revised Statutes of Alberta, 1942.

The provision in the former Act which this Act replaces making certain conduct of the employee, servant or labourer a violation of his contract and an offence has been removed.

A police magistrate is given jurisdiction to hear a claim for wages not in excess of six months' wages or five hundred dollars, whichever is the lesser. Previously a justice had jurisdiction to hear a claim for wages not in excess of six months' wages.

Where an employee, servant or labourer has been improperly dismissed the police magistrate in addition to directing payment of any wages found to be due may direct payment of a further amount but not in excess of four weeks' wages or one hundred dollars, whichever is the lesser, or an amount equal to the rate of wages the employee, servant or labourer would have earned

between the date of the dismissal and the date of the determination of the complaint, or one hundred dollars, whichever is the lesser.

Where an employee, servant or labourer has for good cause been dismissed, the police magistrate may order the payment of any wages found to be due not in excess of six months' wages or five hundred dollars, whichever is the lesser.

Where the right to a set-off or counterclaim is established by the master or employer the police magistrate shall deduct from the amount of wages determined to be due, the amount that the master or employer is entitled to by the set-off or counterclaim, or if the set-off or counterclaim is equal to or greater than the wages determined to be due, the police magistrate shall dismiss the complaint.

An order made under this Act may be levied by distress and sale of the goods and chattels of the master or employer in accordance with the provisions of *The Seizures Act*. Previously it was necessary to engage police officers to execute such distress warrants.

Proceedings under this Act may only be taken within six months after the engagement or employment has ceased or has been terminated or after the last instalment of wages under the contract of employment has become due, whichever last happens.

This Act does not curtail, abridge or defeat any civil or other remedy for the recovery of wages or damages by the employer or master against their employees, servants or labourers, or by the employees, servants or labourers against their masters or employers.

This Act came into force on March 30, 1954.

MEDICAL PROFESSION ACT AMENDMENT ACT

(Chapter 62)

(Bill 67)

This Act amends *The Medical Profession Act*, being chapter 295 of the Revised Statutes of Alberta, 1942.

Section 33 is amended. The purpose of this amendment is

- (a) to remove the repetition presently found in sections 36 and 33 (4) (a), and section 37 (1);
- (b) to make it clearer that an applicant for registration in the Alberta College of Physicians and Surgeons is required to prove good character even where the applicant holds a certificate from the Medical Council of Canada.

The contents of sections 36 and 37 are placed in new subsections (5) to (7); and the present subsections (5), (6), (6a) and (7) are renumbered (8), (9), (10) and (11) with necessary corrections of cross reference made in the new subsections (8) and (10).

Sections 36 and 37 are repealed as they have been incorporated into section 33.

Section 35 is amended to make it clear that the restriction upon the recovery of fees for medical advice by persons not registered under this Act or suspended from the register applies also to osteopathic and homeopathic advice.

A new section 42a is added. This section authorizes the council of the College of Physicians and Surgeons of the Province of Alberta to set up and administer a special fund for the relief of aged, infirm or disabled members and dependants of deceased members of the College. Because of the nature of the fund special powers are expressly set out in subsection (3); while subsection (2) makes it clear that the power to create the fund places no duty upon the College to either create the fund in the first instance or to continue it if once created.

This Act came into force on March 30, 1954.

MEDICINE HAT POWER PLANT EXTENSION ACT AMENDMENT ACT

(Chapter 63)

(Bill 95)

This Act amends *The Medicine Hat Power Plant Extension Act*, being chapter 52 of the Statutes of Alberta, 1952.

A new section 5a is added. This section requires that the city of Medicine Hat set aside the payments made to it by Calgary Power Limited for electric

clause 5 of the agreement between these parties of date 28th June, 1951 and as amended on the 6th of January, 1954. The moneys are to be held in a special account, are not to be part of the general revenue of the city, and shall be disbursed by the city to repay the debentures issued by the city for its power plant extension under By-law No. 1044. These requirements are in force while any such debenture remains outstanding.

This amendment is retroactive to the 6th day of January, 1954.

MINERAL TAXATION ACT, 1947 AMENDMENT ACT

(Chapter 64)

(Bill 78)

This Act amends *The Mineral Taxation Act, 1947*, being chapter 10 of the Statutes of Alberta, 1947.

In the assessment of tax on producing areas where the principal mineral is petroleum or natural gas the value of a tract is determined on the basis of the production from it during the preceding calendar year. It is felt that provision should be made to apply where production from a pool is on the basis of unit operations and for this purpose a new section numbered 9a is added.

Section 12 provides for an appeal from an assessment by the Deputy Minister or by an owner who appears on the assessment roll. In some instances an appeal is made claiming that the wrong person is named as the owner of a tract on the roll. Additional provisions are added to this section so that when such an appeal arises the person whose name it is claimed should have appeared is given notice and sufficient information so that he may be in a similar position to appeal as if his name had originally appeared on the roll.

This Act came into force on April 8, 1954.

MINES AND MINERALS ACT AMENDMENT ACT

(Chapter 65)

(Bill 107)

This Act amends *The Mines and Minerals Act*, being chapter 66 of the Statutes of Alberta, 1949.

the Act does not apply to the working or operating of coal mines or oil or gas wells. This provision is amended for clarification.

Certain provisions of *The Provincial Lands Act* were carried forward into *The Mines and Minerals Act* in 1949. As a result of the decision of the Judicial Committee of the Privy Council in an action to test the coal royalty provisions of *The Provincial Lands Act*, it is necessary to amend section 30 and section 216 to eliminate provisions considered outside of the jurisdiction of the Province by the Privy Council. At the same time section 214 is amended slightly to fit in with the new provisions of section 216.

Section 42, subsection (2), giving the Minister or an authorized person access to certain property is amended for clarification.

Section 45 provides that the company shall not acquire a grant under the Act unless it is registered under the provisions of *The Companies Act* of the Province. Chartered banks are incorporated by the *Bank Act* (Canada) and are exempted from registration by *The Companies Act*. Section 45 is amended to permit the acquisition of interests in Crown minerals by banks and also by companies incorporated by special Provincial statutes.

Part II, containing provisions regarding quartz mining claims, originally contained special provisions regarding claims for iron. In 1950 section 64a was added providing for a lease or other agreement for the mining of iron, associated minerals and other base minerals. The original provisions regarding iron claims are no longer of use and accordingly section 64 is deleted and minor amendments are made to sections 58, 88, 106 and 134.

Section 59 sets out the right of a person to enter upon lands to stake a quartz claim. A new subsection is added to prevent such entry and staking where it would interfere with a grant made under the Act. Similarly section 163 is amended with respect to the entry and staking of placer claims.

By an amendment to section 62, the number of quartz claims a person may stake is increased and section 87 is amended in accordance with this increase.

Section 63 provides that a person who has recorded a quartz claim may not locate another claim in the same district within a period of twenty days. This section has outlived its usefulness and is repealed.

Section 76 states that no person shall move post No. 1 of a quartz claim. To eliminate possible conflict between this provision and section 80, an amendment to section 76 will enable a surveyor to move post No. 1 with the permission in writing of the Director of Mineral Rights.

Section 96 deals with the grouping of mineral claims for the purposes of Part II. This section limited the grouping to a maximum of nine claims and this is amended by making the limitation on the basis of area.

Section 107 sets out the steps to be taken by the holder of a quartz claim to qualify for a certificate of improvements. This section is amended for clarification and to simplify the provisions regarding the advertisement of the application for the certificate.

Section 115 is amended for clarification.

Section 118 dealing with the survey of mineral claims is amended with regard to the application of the costs to representation work and as to the advertisement of the notice of survey.

Section 120 also dealing with the survey of a mineral claim provides for the inclusion of adjoining fractional lands in the claim. For greater flexibility the conditions under which this power may be exercised are deleted and the conditions will now be prescribed by the Minister.

Section 180 provides that a person recording a placer claim shall not locate another claim in the same valley or basin within sixty days. Amendments to this section would make it applicable to the person who has located a claim, and also would make it clear that the locator might locate a claim for another person under power of attorney in accordance with section 178.

In Part V dealing with mining in road allowances, section 229 provided that a lease of road allowance would not be granted without the approval of the Lieutenant Governor in Council except for coal. This exception is expanded to include petroleum and natural gas leases.

Section 272 defines what petroleum and natural gas rights are Crown reserves. An amendment would permit the Minister to designate additional Crown reserves. A new section 272a is added so that when Crown reserves have been established to complement lease areas taken out of a petroleum and natural gas reservation, adjustments of the Crown reserve areas may subsequently be made as, for example, when the lease is cancelled, subject to the limitation that one half of the lands in the township will be retained as Crown reserves.

Part IX is added to the Act to enable the inclusion of Crown mineral rights in an agreement for unit operation of a mineral. A unit operation is one in which a number of tracts are integrated for the development or production of a mineral underlying the tracts, or the implementing of a programme of conservation of the mineral. The provisions of Part IX will enable the Lieutenant Governor in Council to authorize the Minister to enter into a unit operation agreement that may supersede other provisions of the Act regarding the disposal of that mineral. Where a unit operation agreement is made the Minister may require that leaseholds and other grants be split so that the leaseholds and the unit operation area are as nearly as possible co-terminous. Crown minerals within a unit operation shall remain subject to the agreement so long as it is in force.

This Act came into force on April 8, 1954.

M.L.A. COMPENSATION ACT

(Chapter 66)

(Bill 119)

This is a new Act to be known as "*The M.L.A. Compensation Act*".

The effect of this Act is to provide a plan of compensation in the event of the accidental death or accidental permanent total disability of members of the Legislative Assembly while performing their duties as members.

The members are brought under *The Workmen's Compensation Act, 1948*, and compensation would be payable thereunder as though the members were workmen within the meaning of that Act.

This Act is retroactive to October 1, 1953.

MOBILE CONSTRUCTION EQUIPMENT LICENSING ACT AMENDMENT ACT

(Chapter 67)

(Bill 69)

This Act amends *The Mobile Construction Equipment Licensing Act* which was enacted by chapter 76 of the Statutes of Alberta, 1953, and brought into force by proclamation.

Section 2, clause (a) is amended to include within the definition of "construction work" strip mining.

Section 5 is amended to permit an exemption in the case of mobile construction equipment owned by railways and farmers.

Section 7 which provides the formula for computing the licence fee for the equipment to which the Act relates is amended. The purpose of the amendment is to provide a means of allowing for depreciation and to permit a lower percentage to be fixed for the licence fee, that is, four per cent on three tenths of the sum determined after depreciation is allowed rather than five per cent of three tenths of the sale price as determined under the formula. Subsection (4) is added and exempts mobile construction equipment valued at less than \$1,000.00 at current market prices from the licensing requirements of this Act.

This Act is retroactive to the 1st of January, 1954, the commencement of the licensing year.

ALBERTA MUNICIPAL ASSESSMENT COMMISSION ACT AMENDMENT ACT

(Chapter 68)

(Bill 83)

This Act amends *The Alberta Municipal Assessment Commission Act*, being chapter 156 of the Revised Statutes of Alberta, 1942.

Section 4b, subsections (1) and (2) are amended. These amendments are to provide for the absorption by the Department of Municipal Affairs of fifty per cent of the cost of all assessments made by departmental assessors in towns and villages. Previously only twenty-five per cent of the cost of a general or annual assessment of lands, buildings and improvements was absorbed by the Department when their assessors made such assessments.

This Act came into force on March 30, 1954 .

MUNICIPAL CAPITAL EXPENDITURE LOANS ACT AMENDMENT ACT

(Chapter 69)

(Bill 52)

This Bill amends *The Municipal Capital Expenditure Loans Act*, being chapter 81 of the Statutes of Alberta, 1953.

Section 3, subsection (3) is amended to authorize the Provincial Treasurer to make an advance to the Municipal Loans Revolving Fund in the sum of thirty-five million dollars for the year 1954-55.

Section 16a is added and permits loans being made under this Act for the purpose of assisting in the construction, extension or improvement of hospitals.

This Act came into force on April 8, 1954.

MUNICIPAL DISTRICT ACT, 1954

(Chapter 70)

(Bill 12)

This Act enacts *The Municipal District Act, 1954*, and is a consolidation and revision of *The Municipal District Act*, chapter 151 of the Revised Statutes of Alberta, 1942, which it repeals.

The first provincial statute dealing with rural municipalities was passed in the session of 1911-12. This was called *The Rural Municipality Act*. In 1918 the expression "rural municipality" was replaced by the designation "municipal district". The Act of 1911-12, as amended in the ensuing years, was carried into the Revised Statutes of Alberta, 1922. In 1926 that Act was repealed and replaced by a new Municipal District Act. The Act of 1926, as revised in 1942 and as amended through the years is the Act now being replaced by this new Act.

This new Act is the third in a series of Acts which have been passed in the past few years dealing with municipal bodies. The first was *The City Act* of 1951. As far as the subject permits, this new Act makes the provisions relating to municipal districts conform with similar provisions in *The City Act* and *The Town and Village Act, 1952*. Like these two Acts, *The Municipal District Act, 1954*, brings under one Act nearly all the statute law relating to municipal

districts either directly or by reference to another Act having effect in municipal districts.

In many cases where a matter was not provided for in *The Municipal District Act*, provisions similar to those now in *The Town and Village Act, 1952*, have been introduced in this new Act. Uniformity where it is deemed desirable is thus achieved with that recent Act.

No very great alteration of policy with respect to municipal districts is brought about by this new Act. Some examples of new sections are given hereunder to illustrate the type of changes in sections made in this Act, other than change of wording or structure.

Section 19—New. This provides for the appointment of an official administrator.

Section 28 (2)—Clarifies the jurisdiction of the council of the municipal district.

Section 83—Provides for the holding of elections where no electoral divisions have been established.

Section 96 (1)—December 31st instead of the fourth Monday in November for making preparations for holding a nomination meeting.

Sections 110 and 111—Clarify the procedure in respect of appointment of enumerators.

Section 204—Establishes entitlement to vote on by-laws before the completion of the first list of electors.

Section 209—The resolution setting a date for the holding of a vote on a by-law required to be passed thirty clear days prior to the date for holding the vote.

Section 214—This requires each voter at a vote held prior to the first list of electors to sign a solemn affirmation.

Section 220—Makes provision for the payment of costs incurred in the voting on a by-law.

Section 221—Provides a procedure for contesting the voting on a by-law.

Section 425—Provides a means of controlling the construction of power transmission lines and poles along district highways.

Section 426—Makes provision for a means of obtaining bus services in semi-urban areas of a municipal district.

The Act is divided into Parts and Headings to make reference to the Act more convenient. There are eleven Parts entitled:

| | |
|-----------|--|
| PART I | INTRODUCTORY |
| PART II | FORMATION, ALTERATION AND DISSOLUTION OF DISTRICTS |
| PART III | GENERAL GOVERNMENT AND ADMINISTRATION |
| PART IV | ELECTIONS |
| PART V | VOTING ON BY LAWS |
| PART VI | POWERS AND DUTIES OF THE COUNCIL |
| PART VII | RATES AND TAXES |
| PART VIII | FINANCE |
| PART IX | LEGAL PROCEEDINGS |
| PART X | GENERAL OFFENCES AND PENALTIES |
| PART XI | MISCELLANEOUS |

This Act is to come into force on the 1st day of July, 1954.

MUNICIPAL HOSPITALS ACT AMENDMENT ACT

(Chapter 71)

(Bill 49)

This Act amends *The Municipal Hospitals Act*, being chapter 185 of the Revised Statutes of Alberta, 1942.

Section 11, subsection (1), clause (i) is amended. The purpose of this amendment is to fix a maximum of ten dollars on the minimum tax to be levied upon ratepayers within the hospital district instead of a minimum as was previously provided.

This Act came into force on April 8, 1954.

NOTARIES PUBLIC ACT AMENDMENT ACT

(Chapter 72)

(Bill 28)

This Act amends *The Notaries Public Act*, being chapter 137 of the Revised Statutes of Alberta, 1942.

Section 8, subsection (1) is amended to bring the section into conformity with the present position of Canadian representation in foreign countries and with the functions of Canadian officials in foreign countries.

This Act came into force on March 30, 1954.

NURSING SERVICE ACT AMENDMENT ACT

(Chapter 73)

(Bill 44)

This Act amends *The Nursing Service Act*, being chapter 45 of the Statutes of Alberta, 1950.

Section 2, the definition section, is amended to define therein "contributing council" and "local authority".

Section 3 is amended by the addition of a new subsection (3), which provides for the case where a health unit under *The Health Unit Act* has within the unit an area being served by a municipal nurse employed under an agreement under this Act. In that case by agreement the administration and operation of that nursing service may be transferred to the control of the health unit board.

Section 4 is amended by substituting a new section. This section provides that the budget for the nursing service be prepared by the local authority in the nursing service area, that it be submitted to the Minister for approval, and that the Department of Health may estimate its share of the budget and pay the same in quarterly instalments.

Section 5 is amended by substituting a new section. This section now provides for the appointment of an official auditor who shall prepare a financial statement upon which all contributing parties will base their shares of the cost of the service.

The books of the nursing service are open to inspection by officials of the Department of Health.

Section 5a is added. Subsection (1) provides for the type and extent of the costs for which the Department of Health is responsible and subsection (2) for those for which the contributing councils are responsible.

This Act came into force on April 8, 1954.

O.C. 523-45
(Chapter 74)
(Bill 112)

This Act writes off an advance authorized under *The Government of Alberta Insurance Act* and Order in Council No. 523-45 dated the 12th day of April, 1945.

Section 18 of *The Government of Alberta Insurance Act* authorized the Lieutenant Governor in Council to make advances to The Alberta Government Insurance Office for the purpose of establishing, organizing and operating the Department and for defraying its expenditures. The Insurance Office was then a branch of the Provincial Secretary's Department.

The funds advanced were expended in connection with the establishment of the Insurance Office and for ordinary departmental purposes. *The Government of Alberta Insurance Act* was repealed in 1948 when the Insurance Office of the Provincial Secretary's Department ceased its operations and the advance made under the said Act is written off.

**OFFICIAL AUDITORS ACT
AMENDMENT ACT**

(Chapter 75)
(Bill 19)

This Act amends *The Official Auditors Act*, being chapter 26 of the Revised Statutes of Alberta, 1942.

Section 2 is revised to remove reference to accounts of boards of school trustees, official trustees and village councils. Otherwise the Act is unchanged.

This Act is to come into force on July 1, 1954.

**OIL AND GAS FIELDS PUBLIC
SERVICE UTILITIES ACT REPEAL
ACT**

(Chapter 76)
(Bill 15)

This Act repeals *The Oil and Gas Fields Public Service Utilities Act*, being chapter 259 of the Revised Statutes of Alberta, 1942.

This Act was obsolete and is therefore repealed.

This Act came into force on March 30, 1954.

**OIL AND GAS RESOURCES
CONSERVATION ACT, 1950
AMENDMENT ACT**

(Chapter 77)

(Bill 80)

This Act amends *The Oil and Gas Resources Conservation Act, 1950*, being chapter 46 of the Statutes of Alberta, 1950.

Section 24 of the Act deals with deposits paid in by a person applying for a well license. The purpose of the deposit is to guarantee that the operations at the well will be carried out in a proper manner. This section is completely rewritten. The provisions regarding the payment in of the deposit and the return of any moneys left when the well is abandoned, remain in section 24. The provisions formerly in section 24 regarding the powers of the Board to correct the failures of the licensee to carry out operations satisfactorily and to expend moneys on deposit for this purpose have been placed in Part VII of the Act and appear in section 80a.

A further provision formerly found in section 24 made the failure to pay the balance owing after the expenditure of the deposit an offence against the Act and this provision is moved to section 88 which deals with offences.

The removal of part of the former section 24 to section 80a necessitates an amendment to section 81.

Section 50, which defines "oil and gas property" subject to taxation by The Petroleum and Natural Gas Conservation Board, is amended for clarification.

Section 95 gives the Board the power to approve agreements for the operation of production activities in a pool on a unit basis. Provisions are added to this section to clarify the responsibility of the designated operator and the effect of his exercise on these functions.

This Act came into force on April 8, 1954.

**ALBERTA PHARMACEUTICAL
ASSOCIATION ACT, 1945
AMENDMENT ACT**

(Chapter 78)

(Bill 58)

This Act amends *The Alberta Pharmaceutical Association Act, 1945*, being chapter 15 of the Statutes of Alberta, 1945.

Section 8, subsection (1) is amended for the purpose of making clear that one councillor from each district is to be elected to the council. Subsection (5) is new and to the effect that a general meeting of the Association may provide that more than one councillor be elected from one or more districts.

Section 11 is replaced by a new section 11 which provides that if nominations are equal to or less than the number of councillors to be elected from that district, the person or persons nominated are to be deemed elected.

Section 13 is amended by adding a subsection (2) to the effect that if more than one councillor is to be elected in a district each elector is entitled to vote for as many persons nominated as there are councillors to be elected.

Section 15 is replaced by a new section 15. The new section provides that the candidate or candidates receiving the highest number of votes is to be declared elected as councillor or councillors by the Registrar.

This Act came into force on March 30, 1954.

POST-WAR RECONSTRUCTION FUND ACT REPEAL ACT

(Chapter 79)

(Bill 16)

This Act repeals *The Post-War Reconstruction Fund Act*, being chapter 9 of the Statutes of Alberta, 1943.

Section 2 provides for moneys or securities remaining in that fund when the Act is repealed. Such moneys or securities are to be transferred to the General Revenue Fund by the Provincial Treasurer.

This Act is to come into force on July 1, 1954.

PRIVATE DETECTIVES ACT AMENDMENT ACT

(Chapter 80)

(Bill 30)

This Act amends *The Private Detectives Act*, being chapter 14 of the Statutes of Alberta, 1948.

Section 16 is replaced by a new section. Subsection (1) provides for the

joining of the insurer on the private detective's security to any action against the private detective for damage occasioned by an act or omission of the private detective or his employees in the course of his business and during the period of his licence. Previously the old section required two separate actions to obtain indemnification from the insurer. Subsection (2) sets out the liability of the insurer to a claimant for such damages and does not differ in principle from the provision it replaces.

Section 20 is replaced by a new section 20 which provides for imprisonment upon default of payment of the fine prescribed by this section.

Section 21 is replaced by a new section 21 which also provides for imprisonment upon default of payment of the fine prescribed by this section.

Section 22 is replaced by a new section 22 which increases the term of imprisonment for subsequent convictions for offences under this Act from a period not exceeding six months to a period not exceeding one year.

This Act came into force on March 30, 1954.

PRIVATE DITCHES ACT AMENDMENT ACT

(Chapter 81)

(Bill 66)

This Act amends *The Private Ditches Act*, being chapter 172 of the Revised Statutes of Alberta, 1942.

The construction of ditches under the provisions of this Act was restricted to ditches the whole cost of which would not exceed five thousand dollars. This limit was set in 1913 by chapter 6 of the first Session in 1913 when this Act was first enacted.

Section 3 is amended to permit ditches not costing more than twenty thousand dollars to come within the scope of the Act.

This Act came into force on March 30, 1954.

PUBLIC HALLS ACT REPEAL ACT

(Chapter 82)

(Bill 47)

This Act repeals *The Public Halls Act*, being chapter 271 of the Revised Statutes of Alberta, 1942 .

This Act, which was originally enacted in 1912, deals with a few particulars of fire precaution measures, that is the regulation of means of egress from buildings used for public meetings or gatherings. As the provisions of this Act are being embodied in *The Fire Prevention Act*, *The Public Halls Act* is being repealed.

This Act came into force on March 30, 1954.

PUBLIC HEALTH ACT AMENDMENT ACT

(Chapter 83)

(Bill 41)

This Act amends *The Public Health Act*, being chapter 183 of the Revised Statutes of Alberta, 1942.

Section 22, subsection (3) is amended. Previously by this section it was provided that the local medical officer of health was the executive officer of the local board of health. This provision is repealed.

Section 23a made provision for the case where an area of a health district was included in a full-time health unit. With the present *Health Unit Act* now in force this section becomes superfluous and is removed.

This Act came into force on March 30, 1954.

PUBLIC HIGHWAYS ACT AMENDMENT ACT

(Chapter 84)

(Bill 92)

This Act amends *The Public Highways Act*, being chapter 74 of the Revised Statutes of Alberta, 1942.

Section 22f is amended by replacing subsection (2) with new subsections (2) and (3). The new subsection (2) makes it an offence and provides a minimum and maximum fine and in default of payment of the fine provides for a period of imprisonment where an owner or occupier of land allows water used or intended to be used for irrigation purposes to escape into the highway. Previously there was only provision for a maximum fine. The present subsection (3) is renumbered as subsection (4). Subsection (3) provides a minimum and maximum fine

and in default of payment of the fine provides for a period of imprisonment where a person has been convicted of an offence under this section, and who continues to allow water used or intended to be used for irrigation purposes to escape into a highway ditch or into or onto the highway or who does not take any action to the satisfaction of the Minister to prevent the escape of the water therefrom. A new subsection (5) is added which provides that the right of the Minister to claim by way of civil action for any damages caused by the escape of water from the land into a highway ditch or into or upon a highway is not derogated from by this section.

This Act came into force on April 8, 1954.

PUBLIC LANDS ACT AMENDMENT ACT

(Chapter 85)

(Bill 35)

This Act amends *The Public Lands Act* being chapter 81 of the Statutes of Alberta, 1949.

Section 19 of the Act deals with the calculation of residence duties by homestead lessees and is amended in two respects. Subsection (2) provides for the aggregating of residence periods of some days duration to meet the residence requirements expressed in months. In this subsection the reference to four month totals is deleted as such a period is less than the required period of residence during one year. Section 19 is also amended by adding a new subsection dealing with cases where lessees give up their original lease and get a different one instead, so that the three year period which the lessee has before his residence duties commence will be counted only once.

Section 32 of the Act is amended to authorize cancellation of a homestead lease where the lessee misrepresents residence or cultivation duties.

Section 45 of the Act deals with assignments and exchanges of homestead leases and is subject to some amendments. Subsection (1) contained the provision that the homestead lease could not be assigned until after the completion of three years' duties. One of the purposes of this provision was to require that the lessee reside on

the land for at least one year before an assignment is made in order to assure that homesteads would be acquired only by actual prospective settlers in good faith. As the period during which the homestead lease may be held before the lessee commences his residence duties has been increased from two to three years, an amendment is now proposed to increase the period during which the homestead lease may not be assigned from three to four years. Another amendment to section 45, provides that the assignee of a homestead lease must have been at least 18 years of age at the date of the commencement of the term of the lease. This age is a requirement of an applicant for a homestead lease and the amendment to the provision regarding assignments is made so that the holder of a lease will not become otherwise entitled to the issue of a notification while he is still a minor. A further amendment to section 45 deals with the exchange of homesteads by two homestead lessees to clarify positions they will hold upon completion of the exchange with respect to the duties already performed on the homesteads.

The provisions of section 54, dealing with the date of the commencement of the term of the cultivation lease are amended for clarification and for greater uniformity with the provisions dealing with homestead leases.

Section 94a provides that in certain cases where a lease is granted previous cultivation of the land must be classified as an improvement and paid for by the prospective lessee in cash. The amendment would place the operation of this provision in the discretion of the Minister rather than mandatory, in order to prevent the difficulty in disposition of such lands which arises when a prospective lessee is not in a position to pay cash for the cultivation.

Section 109 is amended to clarify the power of the Minister to cancel an agreement for sale of land when the purchaser is in default.

Section 113 contains references to the Minister of Mines and Resources of Canada. As a result of re-organization of the Canadian departments of government there is no longer such an official and the references are corrected accordingly. A new clause (s) is added and permits the Minister to

set aside public lands for the purposes of the Government of Canada upon certain conditions.

Section 128a is amended for clarification.

This Act came into force on April 8, 1954.

PUBLIC SERVICE ACT, 1954

(Chapter 86)

(Bill 77)

This is a new Act to be known as "*The Public Service Act, 1954*" which repeals and replaces *The Public Service Act, 1947*, being chapter 6 of the Statutes of Alberta, 1947.

Essentially this Bill is a redraft and a revision of the Act it repeals and replaces. However, there are certain substantive changes in its provisions.

Division 1 of the Public Service is extended to include the Chairman of the Public Service Commission, the Director of Water Resources, the Coordinator of Civil Defence, the Chairman of the Provincial Marketing Board, the Superintendent of Treasury Branches, the Special Counsel for Alberta at Ottawa, the Chairman of the Board of Industrial Relations and the Agent-General for Alberta at London, England.

The name of the Civil Service Commission is changed to the Public Service Commission and the duties of the Commission are specifically provided for. The Chairman of the Commission is the executive member thereof and is to generally oversee the administration of this Act.

The second member of the Commission nominated by the Executive Council is to be the Director of Personnel and his duties are specifically set out.

The name of the Alberta Civil Service Joint Council is changed to "Joint Council", the functions of which are set out together with such other functions as the Lieutenant Governor in Council may assign.

This Act is to come into force on a date to be fixed by proclamation.

PUBLIC SERVICE PENSION ACT AMENDMENT ACT

(Chapter 87)

(Bill 117)

This Act amends *The Public Service Pension Act*, being chapter 7 of the Statutes of Alberta, 1947.

Section 2 is amended to extend the definition of the term "employee" to include certain full-time employees who have heretofore not been subject to the provisions of the Act.

Subsection (4) of section 6 is amended to permit the re-employment for a limited period of a person previously retired without causing a forfeiture of the employee's pension benefits.

The new section 8b authorizes the Pension Board to decide in such cases whether the retirement with full pension rates is justified or not in the circumstances, and to give a reduced pension to employees retiring before sixty-five years of age under section 6 (3) (a) on an actuarial basis where the circumstances so warrant.

Section 14 is amended to modify the service requirements applicable in connection with the payment of pension benefits to the widow of a deceased employee.

New sections 27 to 34 are added. Under these sections a pension plan for members of the Executive Council is authorized and set up. The pension plan is a contributory one and very similar to the present civil service pension plan.

This Act came into force on April 8, 1954, and the new section 8b and the amendment to section 14a are retroactive to July 1, 1953.

PUBLIC SERVICE VEHICLES ACT AMENDMENT ACT

(Chapter 88)

(Bill 86)

This Act amends *The Public Service Vehicles Act*, being chapter 276 of the Revised Statutes of Alberta, 1942.

Section 2 is amended. The administration of this Act has been transferred to the Minister of Highways from the Minister of Public Works. Clause (f)

which defines "Minister" for the purposes of the Act is amended to refer to the Minister of Highways.

This Act came into force on April 8, 1954.

PUBLIC WELFARE ACT AMENDMENT ACT

(Chapter 89)

(Bill 36)

This Act amends *The Public Welfare Act*, being chapter 21 of the Revised Statutes of Alberta, 1942.

Section 5c which authorized the Minister of Public Welfare to make such provision as he thought necessary for the training and instruction of persons suffering from paralysis caused by poliomyelitis, is amended. The amendment broadens the power of the Minister to permit him to make such provisions for physically and mentally disabled persons.

Section 11, which was amended by chapter 13 of the Statutes of Alberta, 1953, is further amended by striking out subsections (2) and (3) and substituting four new subsections.

Subsection (2) as it read was ambiguous and a new subsection is substituted to clarify the reference and meaning. Subsection (3) is a revision of the previous subsection (3) with the addition of *The Disabled Persons' Pensions Act* to the list of statutes therein contained. Subsection (4) is new. This subsection, which provides that a person does not acquire or change residence by living in certain establishments, was contained in the Act prior to the amendments of 1953. Subsection (5) provides that subsection (4) will not apply to persons who are employed on the staff of the establishments mentioned in that subsection, thus restricting the application of subsection (4) to inmates of those establishments.

This Act is retroactive to the 1st day of April, 1953.

RENTAL CONTROL ACT AMENDMENT ACT

(Chapter 90)

(Bill 109)

This Act amends *The Rental Control Act*, being chapter 61 of the Statutes of Alberta, 1950.

A new section 24 is added which provides for the expiration of this Act on March 31st, 1955, and further empowers the Rental Control Board to decontrol accommodation during the intervening period.

This Act came into force on April 8, 1954.

RETIREMENT ANNUITIES ACT AMENDMENT ACT

(Chapter 91)

(Bill 53)

This Act amends *The Retirement Annuities Act*, being chapter 4 of the Statutes of Alberta, 1951..

Section 11, subsection (1) is amended by substituting a new clause (c) which provides for a life annuity or a term of years certain (if the term is not less than five years) where previously the clause provided only for a guaranteed term annuity for a term not less than five years.

Section 21, subsection (2) is amended. The effect of this amendment is to permit the Provincial Treasurer to invest funds temporarily in his hands in bonds or debentures guaranteed by a province or by Canada where before he could so invest such funds in only the bonds or debentures of a province or of the Government of Canada.

This Act is to come into force on July 1, 1954.

RIGHT OF ENTRY ARBITRATION ACT, 1952 AMENDMENT ACT

(Chapter 92)

(Bill 79)

This Act amends *The Right of Entry Arbitration Act*, 1952, being chapter 79 of the Statutes of Alberta, 1952.

Section 10, subsection (2) is amended for clarification.

Section 14 of the Act refers to security paid in by an applicant for an order giving an interim right of entry. New provisions are added dealing with the purpose and use of the security moneys.

New provisions are added to the Act in section 14a to permit the acquisition

of right of entry for an input well necessary for conservation purposes in an oil or gas field.

Section 20 is amended for clarification.

This Act came into force on April 8, 1954.

RURAL ELECTRIFICATION REVOLVING FUND ACT AMENDMENT ACT

(Chapter 93)

(Bill 21)

This Act amends *The Rural Electrification Revolving Fund Act*, being chapter 101 of the Statutes of Alberta, 1953.

Subsection (4) of section 7, subclauses (ii) and (iii) of clause (d) of subsection (1) of section 9, clause (c) of subsection (3) of section 14, subsections (2) and (3) of section 15, section 16, subsections (2) and (4) of section 19, section 20 and Form A of the Schedule are amended for the purpose of providing for annual payments under a lien note by payments of interest accrued on the unpaid principal and by payments of equal annual instalments of principal. Previously the word "instalment" contemplated an equal annual payment of both principal and interest. With this amendment the word "instalment" where it occurs will refer only to the payments of principal, and the word "interest" will refer only to the payments of interest accrued on the unpaid principal.

Section 9 is amended by adding a new clause (e) in subsection (1) for the purpose of extending the effect of a lien note to the interest of the member in the land to which electricity is to be conveyed. Previously the lien note only affected the land of the member to which electricity is to be conveyed. A new subsection (1a) is added to permit the Supervisor of Co-operative Activities to approve a lien note against the land of a member or the interest of a member in the land whether or not it is land to which electricity is to be conveyed. A new subsection (3) is added which provides that a lien note is to affect only the interest of the member in the surface rights of land.

Section 11 is amended to correct a typographical error.

Section 15 is amended by providing for the payments of interest into the General Revenue Fund as required by section 5.

Subsection (2) of section 17 is amended to clarify the meaning of the subsection. A new subsection (3) is added to permit the postponement of a lien by the Supervisor of Co-operative Activities where deemed necessary. A new subsection (4) is added to provide for the continuation of the lien even after tax recovery proceedings have been taken.

Section 18 is amended by striking out subsection (1) and substituting a new subsection (1) for the purpose of bringing the provisions of this subsection into conformity with the amendments made to section 9.

This Act came into force on April 8, 1954.

SCHOOL ACT, 1952 AMENDMENT ACT

(Chapter 94)

(Bill 91)

This Act amends *The School Act*, 1952, being chapter 80 of the Statutes of Alberta, 1952.

Section 2 is amended to bring clauses (f), (o) and (p) into conformity with the formation of counties under *The County Act*.

Section 23 is amended by adding new subsections (5) and (6). Subsection (5) provides that the Minister by order may establish a school division comprising all school districts contained within the outer boundaries of Local Improvement District No. 10. The purpose of this amendment is to enable the Minister to implement a recommendation of the Co-terminous Boundaries Commission. Subsection (6) is to the effect that the Minister in the order may provide that two trustees be elected to the board from one or more subdivisions and shall provide for the terms of office of the trustees so elected.

Section 52 is amended by adding a new subsection (3). The new subsection (3) provides that an inspector of schools or a representative of the Minister is entitled to take part in the first school meeting of the electors of a proposed district or of a district established by the Minister but is not entitled to vote at the meeting.

Section 72 is amended. Subsections (1) and (2) provide for the holding of the annual meeting of the electors

between the first day of February and the fourteenth day of February inclusive, or if it cannot be held in that time then on any later date that the Minister approves or sets. The subsections are amended for the purpose of enabling an audited statement for the year to be presented to the meeting. Subsections (6) and (7) are removed.

Section 73 is amended. Subsection (3), clauses (b), (c) and (g) are re-lettered. Clause (d) provides for the submission of the budget for the year covered by the auditor's report. Clauses (e) and (f) are removed. Subsection (5) is replaced by a new subsection (5) which provides if an election is to be held, that each nominee is permitted to make a brief statement to the meeting. Subsection (6) is removed. Subsection (7) is renumbered as subsection (6).

A new section 74a is added which is a transfer from *The Department of Education Act*. Subsection (1) provides that the Minister may appoint an official trustee to conduct the affairs of any district or division. Subsection (2) provides that when an official trustee is appointed for a district the board of that district ceases to hold office. Subsection (3) provides that an official trustee may hold office until the date of the organization meeting of a board elected pursuant to an order of the Minister. Subsection (4) provides that where an official trusteeship in a division is to be terminated the Minister by order may fix the days, times and places for the receipt of nominations for the office of trustee and for the holding of any necessary election.

Section 77 is amended. Subsection (2) is struck out and a new subsection (2) is substituted which provides that three trustees shall be elected for terms of three years, two years and one year with terms of office for each trustee elected being determined by section 117, subsection (3). Subsection (4) is amended for the purpose of providing that the term of office of a trustee who has been elected to take the place of a trustee whose term of office has expired be three years instead of two years as previously provided.

Section 80 is amended by replacing subsections (2) and (3) with new subsections (2) and (3). Subsection (2) provides that if the board consists of three trustees the term of office of

each trustee is to be three years, two years and one year respectively. Subsection (3) provides that the terms of office of the three trustees elected are to be determined in accordance with section 117, subsection (3).

Section 84 is replaced by a new section 84. Subsection (1) provides that when the board of a school division provides for the attendance of pupils residing in two or more districts at one school operated by the board, the Minister by order may direct that one board of trustees be elected for all the districts and may determine a place and date for the election and the name of the new board. Subsection (2) provides that the boards of all the districts named in the order made pursuant to subsection (1) cease to hold office on the date of the election of the new board. Subsection (3) provides that the districts named in the order under subsection (1) shall be deemed to comprise a consolidated school district for the purpose of determining the constitution of the new board, manner of electing the board and the terms of office of the trustees elected to the board. Subsection (4) limits the number of trustees to be elected to the board to seven. Subsection (5) directs the secretary of the district where the school is located to conduct the election of the board. Subsection (6) directs the divisional board, if the school is located in a non-divisional district, to require the secretary of one of the adjoining districts to conduct the election. Subsection (7) provides that if the school attended by the pupils is located in a district that has been included in a division by virtue of an agreement under section 32, only the trustees resident in the district constitute the board of that district in the making of any alteration in the agreement. Subsection (8) provides that all orders made before the first of July, 1954, concerning the constitution of boards for divisional districts having centralized schools are cancelled and boards elected under such orders cease to hold office on the date of the election of a new board under this section.

Section 85, subsection (2) is amended to permit a postponement of the filling of a vacancy on the board as provided by Part IV.

Section 88, subsection (7) is amended to correct a typographical error.

Section 96 is amended to bring it into line with the amendment to section 77.

Section 97 is replaced by a new section 97. The new section provides that the term of office of a replacing trustee in a town or city district is the same as that of a councillor or alderman under *The Town and Village Act, 1952*, or *The City Act*.

Section 105 is amended by striking out clause (d).

Section 106 is amended by striking out clause (c).

Section 115 is amended to provide that the nomination or election of trustees in a town or city district named in an order under section 84 is to be conducted in the manner prescribed for a consolidated district.

Section 132 is amended. Subsection (1) provides for all nominations for divisional trustees instead of providing for only nominations to a first board. Subsection (2) is amended for clarification purposes. Subsection (3) is a new subsection which provides that the secretary of the division is to receive nominations for the office of trustee until the fifteenth day of January. Subsections (4) and (5) are new subsections which provide for the posting of notices calling for nominations. Subsection (6) is a new subsection which provides for the delivery of nomination and acceptance forms to the secretary of each district. The old subsection (3) is renumbered as subsection (7).

Section 136, subsection (2) is amended to provide for the holding of an annual election in a subdivision between the fifteenth day of February and the twenty-first day of February. Subsection (3) is removed.

Section 153 is amended for the purpose of permitting in a town or city district the election of a trustee to fill a vacancy in the same manner as an election to fill a vacancy on the council of the town or city.

Section 162, subsection (1) is amended to provide that organization meetings of the board be held on or before the fifteenth day of March.

Section 174, subsection (4), clause (a) is amended to increase from eight to ten dollars per day the payment to each trustee attending each meeting of the board.

Section 177 is amended to empower the board to determine under what conditions pupils under six years of age are to be admitted at the beginning of the school year and under what conditions a pupil is to be admitted during the school year to Grade I.

Section 178, subsection (1) is amended by adding a new clause (g) which in effect provides that the board of a non-divisional district or division may make a grant to an organization or agency which provides instruction with the approval of the Chief Superintendent of Schools for pupils of sub-normal mentality or other handicap who cannot be educated in the schools of the district or division.

Section 180 is amended by adding a new clause (d) to the effect that the board may operate pupil traffic patrols at street intersections in the vicinity of any of its schools.

Section 189, subsection (1) is amended to increase the *per diem* allowance to divisional trustees from eight to ten dollars and to allow the payment of not more than ten cents per mile for every mile travelled in the performance of their work as a trustee.

Section 211, clause (b) is amended by requiring the board in the disposal of any land, building or vehicle to obtain prior approval of the Minister.

Section 212, subsections (2) and (3) are amended to enable the board with the approval of the Minister not only to acquire a site for a school building but also to acquire an addition to a site.

Section 223, subsection (1) is amended by adding a new clause (bb) to enable school boards to build or purchase teacherages under the National Housing Plan.

Section 225 is amended to remove the requirement of having plans and specifications respecting structural alterations of a school building approved by the Department.

Section 226 is struck out and a new section 226 is substituted which requires that no structural alteration of a school building is to be made until the alteration has been approved by the Department. The deletion results in certain city districts being required to submit plans of schools to the Department for approval.

A new section 227a is added for the purpose of requiring a board to refer to its proprietary electors any proposed capital expenditure which exceeds the limits laid down and which is to be financed, in whole or in part by any method other than by debenture borrowing and for the purpose of ensuring that the Department will receive information corresponding to that received by the Board of Public Utility Commissioners with respect to proposed debenture borrowings.

Section 236, subsection (3) is amended by replacing clause (b) with a new clause (b) which provides for the publication of a notice of intention by a town or city district to apply for authority for debenture borrowing by inserting the notice in three issues of a daily newspaper in the district, and if there is no daily newspaper in the district then in one issue of a newspaper, if any, published in the district and in three issues of a daily newspaper published in Alberta and circulating in the district.

Section 237 is amended to provide that the notice required under section 236 need not be given and a poll is not required in a division if the total amount of the borrowings of the division do not exceed one hundred thousand dollars or one and one-half per cent of the total assessed value of the division, whichever is the less. Previously the amount was sixty thousand dollars or one per cent of the total assessed value of the division, whichever is the less.

Section 283, subsection (1), clause (c) is amended to limit its application to land in a municipality held under a homestead lease. A new clause (cc) is added to provide a means of determining the nominal value of land in a municipality held under a grazing lease. Clause (e) provides that in a special area the nominal value per quarter section for homestead and grazing leases is to be set annually.

Section 285, subsection (1) is amended to make this subsection apply also to consolidated districts. Subsection (3) is amended to bring it into line with the amendment to subsection (1).

Section 288 is amended by adding a new subsection (4) for the purpose of providing for the division between public schools and separate schools of the assessment of a corporation incorporated under *The Societies Act*.

Section 296, subsection (1) is amended to bring it into line with the amendments to section 283.

Section 297, subsection (1) is amended to provide that the divisional board is to prepare and adopt a detailed estimate of expenditures for the current year on or before the thirty-first day of March instead of the fifteenth day of March.

Section 301 is amended by adding a new subsection (1a) which provides that if the municipality has not received the requisition of the board on the fifteenth day of March, the municipality is to make a payment on account to the board based on the requisitions of previous years.

Section 306 is amended to provide that two boards may, with the approval of the Minister, enter into an agreement whereby one board provides conveyance for pupils residing in a district or division under the jurisdiction of the other board.

Section 307 is amended by removing clause (c) to make the obligation to convey pupils independent of the relation between residence and district boundaries.

Section 320, subsection (3) is amended to limit the application of the subsection to a grade above Grade IX. A new subsection (4) is added for the purpose of requiring the board to pay tuition fees for a handicapped pupil attending a special class of an approved type not offered by the board.

Section 342, subsection (2) is amended by removing clause (d) to bring the section into line with the amendment to section 356.

Section 351, subsection (3) is amended for the purpose of clarification.

A new section 351a is added which provides for the withdrawal of an application to refer a dispute between the board and a teacher to the Board of Reference.

Section 352, subsection (1) is amended for the purpose of making the provisions thereof subject to section 351a.

Section 356 is amended. Subsection (2) provides that the salaries of temporary teachers are to be covered specifically or otherwise by the salary schedule and makes the salary schedule

applicable to all teachers except substitute teachers. A new subsection (7) is added for the purpose of providing that when a district changes from a divisional district to a non-divisional district, the teachers are under contract to the board of the non-divisional district.

Section 357 is amended by removing subsections (3), (4) and (5).

Section 358, subsection (1) is amended to provide for the payment of teachers on the last teaching day of every calendar month except August rather than on the last day of every calendar month and on the last day of July when there are no teaching days in that month, otherwise the provisions with respect to July and August are unchanged.

Section 359, subsection (4) is amended. Clause (c) provides that an order closing a school shall be made under *The Public Health Act*. The effect of this amendment is to extend the scope of authority making it unnecessary to refer specifically to medical practitioners and public health nurses. Clause (d) is amended to obviate an obscurity by making clear the exclusion of Thanksgiving Day as a day on which a teacher is deemed to have taught.

Section 360, subsection (3) is amended to remove a conflict and to clarify the meaning.

Section 371, subsection (1) is amended to avoid a possible conflict with section 199, clause (b).

Section 399 is amended for the purpose of making employment of a child subject to the provisions of *The Alberta Labour Act*.

This Act is to come into force on July 1, 1954.

SCHOOL BUILDINGS ASSISTANCE ACT AMENDMENT ACT

(Chapter 95)

(Bill 17)

This Act amends *The School Buildings Assistance Act*, being chapter 81 of the Statutes of Alberta, 1952.

Section 7 is amended by striking out subsection (1b) and adding three new subsections. The new subsection

(1b) sets out the limits of the school building grants on the basis of the number of standard classrooms in the school. Subsection (1c) permits an increase of ten per cent in the grant when certain construction material is used. Subsection (1d) defines the word "classroom" as used in the new subsections.

A new section 12a is added. This section provides for the recovery by the Provincial Treasurer of sums expended by him by reason of the Province's guarantee of interest payments on the borrowings of a school division. The recovery may be made from certain specified school grants in the event the school division defaults in the interest payments.

This Act came into force on April 8, 1954, and the amendments to section 7 of the Act are retroactive to January 1, 1954.

SEISMOGRAPHIC RECORDING AND DRILLING EQUIPMENT LICENSING ACT AMENDMENT ACT

(Chapter 96)

(Bill 70)

This Act amends *The Seismographic Recording and Drilling Equipment Licensing Act* which was enacted by chapter 104 of the Statutes of Alberta, 1953 and brought into force by proclamation.

Section 6 which provides the formula for computing the licence fee for the equipment to which the Act relates is amended. The purpose of the amendment is to provide a means of allowing for depreciation and to permit a lower percentage to be fixed for the license fee, that is, four per cent on three tenths of the sum determined after depreciation is allowed rather than five per cent of the amount determined by adjusting the invoice value on the basis of index figures of the Dominion Bureau of Statistics.

These amendments are retroactive to January 1st, 1954, the commencement of the licensing year.

SEIZURES ACT AMENDMENT ACT

(Chapter 97)

(Bill 26)

This Act amends *The Seizures Act*, being chapter 143 of the Revised Statutes of Alberta, 1942.

Section 3 is amended so that distress warrants under *The Masters and Servants Act* may be executed in the same manner as other process. Previously it was necessary to engage police officers to execute such distress warrants.

This Act is to come into force on July 1, 1954.

SHERIFFS ACT AMENDMENT ACT

(Chapter 98)

(Bill 38)

This Act amends *The Sheriffs Act*, being chapter 144 of the Revised Statutes of Alberta, 1942.

Section 32 prescribes the hours of the week during which the offices of the sheriffs or deputy sheriffs are to be kept open. The introduction of the five-day week necessitates a change in the hours set out in this section. The amendment excludes Saturdays from the days that the sheriffs' or deputy sheriffs' offices are required to be open.

This Act came into force on April 8, 1954.

SLOT MACHINE ACT, 1954

(Chapter 99)

(Bill 121)

This is a new Act to be known as "*The Slot Machine Act, 1954*", which repeals and replaces chapter 333 of the Revised Statutes of Alberta, 1942, the former *The Slot Machine Act*.

The new Act redefines "slot machine" so as to exclude therefrom machines that could be considered to be governed by the gaming provisions of the Criminal Code. A "slot machine" is declared to be a nuisance and is not capable of ownership within the Province. A procedure for determining whether or not a machine is a slot machine similar to the procedure under the former Act is set out, but differs inasmuch as such determination is to be made by a judge of the Supreme or district court rather than by a justice of the peace or a district court judge as previously provided. The Act provides that slot machines within the Province are to be confiscated.

This Act came into force on April 8, 1954.

STUDENTS ASSISTANCE ACT AMENDMENT ACT

(Chapter 100)

(Bill 11)

This Act amends *The Students Assistance Act*, being chapter 109 of the Statutes of Alberta, 1953.

Section 5, clause (b) is amended to authorize the making of grants to students where the Government of Canada contributes under the Vocational Training Agreement to the assistance of the students. Previously the grant was authorized only in respect of student nurses being so assisted.

This Act is to come into force on July 1, 1954.

SUPPLEMENTARY ALLOWANCES ACT AMENDMENT ACT

(Chapter 101)

(Bill 88)

This Act amends *The Supplementary Allowances Act*, being chapter 89 of the Statutes of Alberta, 1952.

Section 3, subsection (3) is amended. This amendment has the effect of increasing the maximum supplementary allowance from ten dollars to fifteen dollars per month.

This Act is to come into force on July 1, 1954.

TAX RECOVERY ACT AMENDMENT ACT

(Chapter 102)

(Bill 75)

This Act amends *The Tax Recovery Act*, being chapter 161 of the Revised Statutes of Alberta, 1942.

Section 22 is amended by adding a new subsection (1a) which provides that where a parcel sold has lost its identity as a result of a cancellation of a subdivision and as a result of a resurvey or either of them, the parcel sold is to be transferred by the form of transfer provided in *The Land Titles Act*.

This Act is to come into force on July 1, 1954.

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TIMBER AREAS TAX ACT REPEAL ACT

(Chapter 103)

(Bill 60)

This Act repeals *The Timber Areas Tax Act* being chapter 59 of the Revised Statutes of Alberta, 1942.

The timber areas tax of twelve dollars and eighty cents per square mile is being absorbed in the ground rent under *The Forests Act* to simplify collection. This Act is therefore repealed.

This Act came into force on April 8, 1954.

TOBACCO ACT REPEAL ACT

(Chapter 104)

(Bill 25)

This Act repeals *The Tobacco Act*, being chapter 273 of the Revised Statutes of Alberta, 1942.

The Tobacco Act, which is applicable only in cities, towns and villages, was first enacted as Ordinance 18 of the Northwest Territories in 1896. It appeared in the 1922 Revision of the Alberta Statutes as chapter 218 thereof; and was brought into the Revision of 1942.

The Tobacco Restraint Act (Canada), chapter 266 of the Revised Statutes of Canada, 1952, covers the same subject matter and is a more complete and extensive Act. It is applicable outside as well as inside cities, towns and villages and first appeared very much in the same form as Ordinance 18 of 1896 of the Northwest Territories.

The Tobacco Act (Alberta) is now obsolete and is therefore repealed.

This Act came into force on March 30, 1954.

TOWN AND RURAL PLANNING ACT, 1953 AMENDMENT ACT

(Chapter 105)

(Bill 89)

This Act amends *The Town and Rural Planning Act*, 1953, being chapter 113 of the Statutes of Alberta, 1953.

Section 2 is amended to define "new parcel" which is an expression that occurs in the amended section 25.

Sections 25 and 26 are struck out and a new section 25 is substituted. The new section 25 authorizes the Provincial Planning Advisory Board, with the approval of the Lieutenant Governor in Council, to make regulations for the purpose of controlling the subdivision of land. Subsection (2) sets out some of the particulars of the regulations which may be made under the general power given in subsection (1). Subsection (3) prohibits the subdividing of land except in conformity with the subdivision regulations, while subsection (4) sets out the circumstances in which the prohibition applies. Subsection (5) prohibits the approval of a subdivision of land adjoining a main highway without the approval of the Minister of Highways to the subdivision.

Section 27 is amended. Subsection (1) is struck out as it is no longer necessary by reason of amendments to section 25. A cross reference in subsection (2) is brought up to date and subsections (2) and (3) are renumbered (1) and (2).

Section 84, subsection (2) is amended. Subclause (iv) of clause (a) requires that the official notice of an intended zoning, interim development by-law or by-laws adopting general plans or development schemes state a time not less than eight weeks from the date of the notice on which a public hearing will be held on such by-law. This time is now to be not less than fourteen days from the publication of that official notice.

Section 85, subsection (3) is amended. Subsection (3) refers to the time of the public hearing referred to in section 84 (2) and is amended to conform to the amendment to section 84 (2).

Section 98, clause (a) is amended to permit interim development by-laws, orders and zoning by-laws made under the earlier *Town and Rural Planning Act* to be amended or repealed in accordance with the provisions of this Act.

Section 7 validates and ratifies certain subdivision regulations and transfer regulations made pursuant to section 6 of *The Surveys and Expropriation Act* and sections 7 and 9 of this Act, and as to which doubt exists as to the extent of the powers contained in these sections to make all the regu-

lations contained therein. This section makes it unnecessary to remake these regulations under the powers now given to make regulations in the new section 25.

This Act came into force on March 30, 1954.

TOWN AND VILLAGE ACT, 1952 AMENDMENT ACT

(Chapter 106)

(Bill 68)

This Act amends *The Town and Village Act, 1952*, being chapter 97 of the Statutes of Alberta, 1952.

Section 46, subsection (1) is amended to remove the reference therein to a general election as being unnecessary as a "first meeting" is defined in section 2, clause (f).

Section 48, subsection (4) is struck out. This subsection more properly belongs to section 56 as it relates to special meetings of the council and is being placed in that section as subsection (5) thereof.

Section 49, subsection (1) is amended to remove the reference to a general election as a "first meeting" is defined in section 2, clause (f).

Section 56 is amended as mentioned in the reference to section 48.

Section 59 is amended by the addition of a subsection (5) which permits a council to make provision for the expenses incurred by its committees attending meetings on municipal affairs.

Section 70 is amended. Subsection (4) is replaced by a new subsection. The effect of this substitution is to provide fully for the time within which requests for assessments may be made by councils to the Director of Assessments. Previously, the request had to be made before the first of April regardless of the fact that the assessment was being made for the purpose of taxation in the following taxation year. Subsection (5) is amended to permit the Department of Municipal Affairs to assume half the cost of assessments done by their personnel at the request of council. Previously, the Department assumed only one quarter of the cost.

Section 79, subsection (2) is amended to correct a reference to an Act.

Section 79a, subsection (1) is amended to extend the length of appointment of a special constable appointed by the mayor from fifteen days to thirty days so as to enable confirmation or the contrary at a subsequent council meeting which might not normally take place within fifteen days of such appointment.

Section 269, subsection (1) is amended to permit a council to acquire land for a museum and art galleries. A new subsection (3) is added to permit a council to acquire land in or outside its municipal area for subdivision for building sites.

Sections 279 and 293, which permit expropriation of subdivided and unsubdivided land, respectively, are amended to exclude the power to expropriate for the purpose for which under the new subsection (3) of section 269 the council may acquire land by purchase.

Section 294 is amended by the addition of a new subsection (1a) which authorizes a council to sell land acquired for building sites under section 269.

Section 352, subsection (1) is amended to extend the ceiling of eight dollars on the minimum hospital tax to ten dollars.

Section 414 is amended to provide that on a vote by proprietary electors on a money by-law, the by-law is neither rejected nor approved unless ten per cent or more of all the proprietary electors vote thereon.

Form 11 is replaced by a new Form 11 which differentiates between a candidate's acceptance for a first election in a town or village and such an acceptance for a general election.

This Act came into force on March 30, 1954.

TREASURY DEPARTMENT ACT AMENDMENT ACT

(Chapter 107)

(Bill 118)

This Act amends *The Treasury Department Act*, being chapter 18 of the Revised Statutes of Alberta, 1942.

Section 63, subsection (2) is amended. This subsection provides that the

Provincial Auditor be paid an annual salary of not more than nine thousand dollars. The effect of the amendment is to increase the maximum to ten thousand dollars.

This Act came into force on the 1st day of April, 1954.

TRUSTEE ACT AMENDMENT ACT

(Chapter 108)

(Bill 85)

This Act amends *The Trustee Act*, being chapter 215 of the Revised Statutes of Alberta, 1942.

Section 3 is amended. Subsection (3) is subdivided into new subsections (3) and (3a). The new subsection (3) contains the provisions of the previous subsection and one of its three provisos. It has, however, been enlarged by reference to guaranteed investment certificates of approved trust companies. This enables trustees to invest in that form of security where before no recognition was given to these certificates.

Subsection (3a) contains the matter formerly contained in the last two provisos of subsection (3). It relates to the manner in which deposit funds are to be dealt with by approved corporations.

Subsection (4) is amended to change the reference to conform to the change in subsection (3).

Subsection (6) is amended to have it refer to guaranteed investment certificates. Subsection (7) is amended for the same reason and both amendments arise out of the amendment to subsection (3).

This Act came into force on April 8, 1954.

UNIT OPERATION OF MINERAL RESOURCES ACT REPEAL ACT

(Chapter 109)

(Bill 104)

This Act repeals *The Unit Operation of Mineral Resources Act*, being chapter 69 of the Revised Statutes of Alberta, 1942.

The Act amending *The Mines and Minerals Act* adds certain provisions

regarding unit operations and at the same time the provisions of the subject Act are incorporated in *The Mines and Minerals Act*.

This Act came into force on April 8, 1954.

VEHICLES AND HIGHWAY TRAFFIC ACT AMENDMENT ACT

(Chapter 110)

(Bill 113)

This Act amends *The Vehicles and Highway Traffic Act*, being chapter 275 of the Revised Statutes of Alberta, 1942.

Section 18 is amended by substituting a new section therefor. As a result of permitting cities to fix speed limits by by-law it is at present not permissible for a convicting magistrate to suspend or cancel the driver's or chauffeur's licence of a person convicted of speeding within a city contrary to a city by-law. This amendment empowers a magistrate in such a case to suspend or cancel a licence.

Section 18*a* is added. This new section is essentially the present section 124*a* which because of its present position in the Act (amidst provisions relating to financial responsibility) is in apparent conflict with section 127. Some substantive changes have been made in the provisions of this section in transposing it, viz., where previously the Minister was required to suspend the licences in the cases set out in section 124*a*, it is now provided that the licences are automatically suspended for the periods specified and the convicted persons are disqualified from holding licences for such period. The periods of the suspension of licence and disqualification are dated from the date of the conviction causing the suspension where, previously, no effective date was specified in the section.

Section 23, clause (b) is amended to correct an error.

Section 42, subsection (1*a*) is amended to prohibit driving at night at a speed greater than fifty miles an hour.

Section 47*b* is added. This section provides a rule of the road that requires persons to drive so as not to impede or block traffic by driving at a slower than reasonable speed. Such a person can be required to drive faster by a police constable when that person

by an unreasonably slow speed is hindering the movement of traffic.

Section 59 is amended as to subsections (2), (4) and (5) to remove the reference to street railway cars which are no longer in operation in Alberta.

Section 73 is amended to make the reference in this section to a new licence be a reference to any licence.

Section 76 is amended to correct a reference.

Section 86 is amended by the addition of a new clause empowering peace officers to arrest without warrant persons who are driving while their licence to drive is under suspension.

Section 99 is amended by the addition of a new subsection (2) which provides that the certificate of the Minister or his deputy that a person is disqualified from holding a licence under this Act is *prima facie* evidence of that fact without further proof.

Section 111 is amended by the substitution of new subsections (2) and (3). Subsection (2) sets out the offence of operating a motor vehicle while the registration therefor is under suspension or cancellation and sets out the penalty therefor. Subsection (3) sets out the offence of driving while the driver's or chauffeur's licence of the driver is under suspension or cancellation and expressly provides that the penalty therefor is to be imprisonment for not more than thirty or less than twenty days.

Section 113 (1) is struck out as it is a duplication of section 18 (1) and (2).

Section 123 is amended. Subsection (1) makes a reference to the new section 132a, and further makes it clear that the power of the Minister to suspend a licence or a registration of a person who failed to satisfy a judgment applies only to judgments arising out of motor vehicle accidents and that it is subject to the new section 132a. Subsection (1a) is amended to provide that the suspension applies only so long as the judgment is not barred by the statute of limitations. Otherwise the subsection remains the same in effect. Subsection (2) is amended to remove the reference to other provinces therein as subsection (1) is intended to apply to judgments in other provinces.

Section 124 is amended. Subsection (1) is amended to correct a reference to the maximum speed allowed on highways. Subsection (5) is amended to make it clearer that the power of the Minister to remove a suspension or cancellation of a licence applies only where the licence is under suspension or cancellation for failure or because of failure to provide proof of financial responsibility. Subsection (6) is added and provides that judges or others convicting for any offence designated in subsection (1) shall forward to the Minister for suspension the driver's or chauffeur's licence of the accused.

Section 124a is repealed as it is becoming the new section 18a.

Section 132, subsection (2) is amended to correct a reference.

Section 132a is new. Subsection (1) permits a person who has had a final judgment rendered against him outside Alberta to apply to a Supreme Court judge. On the application a judge may relieve the applicant from the suspension of his motor vehicle registration and the suspension of his licence as required by section 123 in such cases, if the judge finds that the circumstances warrant the relief.

This Act is to come into force on July 1, 1954, except the amendments to section 111 which came into force on April 8, 1954.

WESTERN IRRIGATION DISTRICT AGREEMENT ACT, 1954

(Chapter 111)

(Bill 71)

This is an Act which is entitled "*The Western Irrigation District Agreement Act, 1954*".

The Board of Trustees of the Western Irrigation District, Calgary Power Ltd. and the Canadian Pacific Railway Company desire approval of an agreement whereby a portion of the irrigation works and undertakings of the Board can be used during an investigation by the power company as to the feasibility of using the said portion of the irrigation works and undertaking to transport water from the Bow River to a point near the hamlet of Shepard where it can be turned into a project for the development of hydro-electric power. If the investigation proves that

the proposed scheme is economically sound the power company wishes to purchase the said portion of the works and undertaking of the Board. The power company would thereafter transport the water required by the Board upon terms set out in the agreement covering the investigation and purchase of the works of the Board.

The irrigation works and lands of the Board were originally obtained in 1944 from the railway company by an agreement which was incorporated in the Act establishing the irrigation district, that is, by section 7 of chapter 16 of the Statutes of Alberta, 1944. Clause 21 of that agreement restricts the capacity of the Board to enter into an agreement with the power company for the purposes aforesaid; also by Clause 21 of the 1944 agreement the Board is required to pay the railway company the sum of \$400,000.00 if the works of the Board are used for the generation of electric power. The railway company agrees to modify these conditions in the circumstances and to that end have become a party to the proposed agreement with the power company.

This Act ratifies, validates and confirms the agreement by the Board, power company and railway company and gives the Board capacity to alienate its works and lands to the power company upon the terms and conditions set out in the agreement shown in the Schedule to this Act. The agreement is to be deemed to be part of the Act and is binding upon the parties, thus superseding the agreement of 1944 where there is a conflict between these agreements.

This Act is retroactive to the 1st day of August, 1953, the date of the agreement.

WILLS ACT AMENDMENT ACT

(Chapter 112)

(Bill 37)

This Act amends *The Wills Act*, being chapter 210 of the Revised Statutes of Alberta, 1942.

Section 6 is amended to permit a minor who has made a will while a member of the army, navy or air force on actual service, or while at sea or in the course of a voyage to revoke his will while still a minor and after he has finished his actual service or voyage.

Section 6a is added to the Act to permit a minor of nineteen years of age or over and married to make a valid will.

This Act came into force on April 8, 1954.

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